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IN MEMORY OF

JUDGE DOUGLASS BOARDMAN

FIRST DEAN OF THE SCHOOL

By his Wife and Daughter

A. M. BOARDMAN and ELLEN D. WILLIAMS

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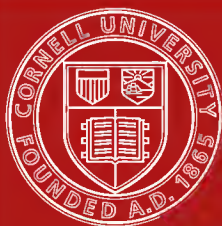
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Investigation of labor troubles in Misso



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*U.S. Congress. House. Select Committee on
Existing Labor troubles.*

INVESTIGATION

OF

LABOR TROUBLES

IN

MISSOURI, ARKANSAS, KANSAS,
TEXAS, AND ILLINOIS.

IN TWO PARTS.

PART 2.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.

1887.

M162

SUB-COMMITTEE.

HON. W. H. CRAIN, Chairman.

TESTIMONY

TAKEN BY

SUB-COMMITTEE IN KANSAS, TEXAS, AND ARKANSAS.

PARSONS, KANS., *Monday, May 3.*

The subcommittee, composed of Messrs. W. H. Crain, J. Outhwaite, A. X. Parker, and J. Buchanan, proceeded to take testimony at the opera house, Parsons, Kans. (Mr. Buchanan not present until near the close of the afternoon session).

ALPHA O. BROWN sworn and examined.

By the CHAIRMAN:

Question. How long have you resided in this city?—Answer. About thirteen years.

Q. Do you hold any official position? If so, what?—A. I am mayor of the city.

Q. How long have you occupied that position?—A. One year this last month.

Q. Are you engaged in any business?—A. No, sir.

Q. Do you give your attention exclusively to your official business?—A. Yes, sir; and attending to my own little business.

Q. We have come here to ascertain, if possible, by investigation the cause of the late troubles on the Southwestern System, and I would like you to state all pertinent facts that you know in relation to this subject.—A. The first I knew of the strike the whistle blew about ten o'clock on the 6th of March. I walked down the city and found every man had quit work, and a committee appointed by the Knights of Labor took charge of the shops, and continued to hold possession for about two weeks. The first day after the strike all freight trains, and all kinds of business in the departments, except passenger trains, were stopped. Instructions had been given that no trains would be allowed except passenger trains. When we found that it was going to be a serious matter, we sent to the governor of the State to know what to do. He sent the adjutant-general here, who found that there had been no disturbance; everything had been quiet; there were no riots; and he went home for he could do nothing because there was nothing to do. The company had made one or two attempts to send out trains, but there had been no violence, only moral suasion. The engineers and firemen were requested to step down off their engines, and they would get down and off. The adjutant-general went home, and I think about two weeks after that we found that we could not do anything ourselves with it, and we called a meeting of the citizens to see if we could not use moral persuasion in order to satisfy those people that they were doing wrong in not allowing freight trains to run. Very nearly two hundred of our citizens surrounded a train, about a hundred on each side, and we tried to force our way through without arms. We were satisfied if they commenced shooting among the crowd, there would be serious damage done. They were armed and ready for any emergency. We could not move them. They gathered en masse—I should judge two thousand strong—in front of the engine, and were composed of men, women, and children.

Q. How long was that after the 6th of March?—A. That was, I think, about the last of March. We could not possibly move the train; they moved their women and children in front of the engine, and not only that, but the women gathered rotten eggs and threw them at our citizens to drive them away. The result was we could not do anything. Afterwards we sent to the governor again for assistance. The governor sent the adjutant-general again. He came, and went into their hall and talked with them. They told him they would not molest the engines, and that they would let the trains go out. Before he came the second time they had ditched a train—I do not say they did, but somebody did—three miles south of here—ditched a passenger train, and the adjutant-general got them to let an engine go out and clear up that wreck, and also to let the freight trains go as they agreed to. Before the engine went out to clear up the wreck, the company got a freight train ready to go out, and they disabled the engine before it got out of the yard, right before the adjutant-general's eyes. He made a speech to them, and they got another engine ready,

and they disabled it. He then telegraphed for troops, and went away himself, and in twenty-four hours we had 350 men here to guard the city. After the troops came here there was no more damage done to the company's property. The men have been threatening citizens and intimidating them in one way or another.

Q. When you speak of "them" to whom do you refer?—A. To strikers, the people that have been on the strike.

Q. After the troops arrived here did the business of the road go on as it had been going on before?—A. Yes, sir; from the very first day after the arrival of the troops.

Q. Is the road doing as much business now as it did before the strike?—A. I think it is. At this season they do really more business than at the time the strike first commenced.

Q. How many men left work here, Mr. Brown?—A. Something over 200 men.

Q. How many are employed now?—A. A little over 100. The damage was not altogether in the number of men leaving work in the shops, understand. There were several hundred men thrown out of employment besides the shopmen.

Q. Were they Knights of Labor?—A. Some of them were Knights of Labor. There are two assemblies of Knights of Labor.

Q. What do you mean by being thrown out of employment?—A. Trade was demoralized, and it prevented improvements that would have gone on but for the strike.

Q. You mean, if I understand you correctly, that one of the effects was that men who were disconnected with the strike were thrown out of employment because business was stopped to such an extent that their employers could not keep them employed?—A. That is the fact, sir; clerks were discharged; and there were men that were making arrangements to put up buildings that put them off, and of course the business was demoralized.

Q. What was the general effect upon the improvement of the town?—A. Well, sir, it was very demoralizing. There would probably have been improvements made in the town to the amount of two or three hundred thousand dollars, where there is not a dollar, and there is not a day's work for carpenters to do.

Q. What was the general effect on business?—A. Merchants did not do anything scarcely; they could get very little to do. The freight that had been ordered for the spring trade had been tied up in the cars that were side-tracked. There were freight cars lying in the yard that they were not allowed to unload. They were not allowed to use the switch engines and switch cars to the depot so as to unload them.

Q. Have you any approximate idea of the gross amount of damage done to the town?—A. It has cost us a great deal. I have told the city clerk to figure out the extra amount of expense to the people.

Q. I was speaking more particularly of the business of the town, and not the expense to the municipal government. What is the estimated amount of damage?—A. That is very difficult to tell. There is not a firm in town that has done anything like the business it would have done if this strike had not occurred. They could not ship anything; they could not get any material to manufacture.

Q. Do you know anything about the cause of the strike here?—A. The only cause I have ever heard for it was in the beginning of the strike, and that it was the discharge of a man named Hall in Texas. That was the cause given by the people striking.

Q. Are you able to say that the damage you spoke of, the killing of engines and ditching of trains and all that, was done by the Knights of Labor?—A. Well, sir, I think we have sufficient proof in our courts to satisfy any one that the Knights of Labor have done damage by killing engines. Several have been arrested and put under bonds for that.

Q. I am speaking of your own personal knowledge?—A. I was down there and saw members of the Knights of Labor surrounding the engines.

Q. Do you know whether others were engaged in these acts of violence besides Knights of Labor?—A. I do not know that there were others outside of the Knights of Labor.

Q. Is this a railroad center?—A. Yes, sir.

Q. How many roads concentrate here?—A. Three; Missouri Pacific, Fort Scott and Gulf, and Missouri, Texas and Pacific.

Q. Does this strike affect all of them?—A. The Missouri Pacific were entirely closed, and the Fort Scott and Gulf closed one day.

Q. What does your town depend upon for its business?—A. The Missouri Pacific railroad business; the trainmen and the shopmen, and also on the farming community around.

Q. What is your population?—A. About 8,500.

Q. What is the assessed valuation of your property?—A. I do not remember what our valuation is.

Q. Approximately?—A. Nine hundred thousand dollars.

Q. What does your police force consist of?—A. A marshal and two policemen.

Q. What steps did you take to suppress these difficulties, and what steps were

taken by your marshal and his assistants to protect the property of the company and arrest those who were guilty of injuring it or destroying it? These things, you say, were done before your face, and of course you had authority to arrest the parties.—A. I issued a proclamation calling on every able-bodied citizen to come out; but a great many were afraid to come, and a great many said that they would not risk their lives. We put on extra police.

Q. How many?—A. I think sometimes as many as thirty were put on to guard the company's property.

Q. Did you make any arrests?—A. There have been some arrests made.

Q. You simply issued a proclamation; you did not send the marshal to summon them as a posse?—A. No, sir; not at that time; but there were a hundred and forty or a hundred and fifty regularly summoned.

Q. I understood you to say a moment ago that the citizens declined to come forward to assist; was that at a different time?—A. Yes, sir.

Q. Was it prior or subsequent to the proclamation that they plucked up courage, and about 140 or 150 responded?—A. Yes, sir.

Q. And that is the body with which you went down and tried to force your way through the strikers without violence?—A. Yes, sir.

Q. And that was also the time when the women stopped in front of the engine and pelted you with rotten eggs?—A. Yes, sir; they, with families connected with the strikers.

Q. (By Mr. PARKER.) How much or what do you include in the word "strike," as you give it?—A. People that have refused work, or who will let no other men work in the shops. There were many of these people who belonged to the Knights of Labor, but were not employed by the railroad companies, but who were sympathizers with them and took part with them.

Q. Was there no other case of stopping trains than this in which you speak of their putting themselves in front of the engines?—A. That was, I think, all; putting themselves in front of the engines, intimidating the fireman and engineer and getting them off the engine, and killing the engines.

Q. What were the cases of killing engines that you saw?—A. They would open the mud-valve and blow the water out of the boiler, and put irons in the guides to disable them. At one time there was a link or pin thrown into the cab and broke the water-gauge, so that it could not be used, and drove everybody out of the cab with with the scalding water and steam.

Q. What is the population here?—A. About eight thousand.

Q. You spoke of factories that were stopped; what factories do you refer to?—A. There is nothing very extensive but the plow factory here; that is doing quite a business; and carpenters' shops.

Q. Is this a center for agricultural products? If so, what effect had the strike upon the shipping of farm products?—A. There was a very serious stoppage. Nothing was allowed to be shipped out or in, and seeds that were ordered here were very much delayed.

Q. (By Mr. OUTHWAITE.) You mean that seeds did not come on in time to be sown?—A. Yes, sir.

Q. (By Mr. PARKER.) How long was the stoppage?—A. I do not remember exactly how long it was; about five weeks, or between four and five weeks.

Q. You spoke of the switch being prevented when goods were wanted; how was that done?—A. By not allowing any one to get out and get on an engine. If a man went out and got on an engine he was ordered off.

Q. How did they get him off? Why did he not go on with his work?—A. I cannot say as to that; I simply know that they were not allowed to go on with their work.

Q. The passenger trains ran regularly during this period; there was no interference on the part of the strikers with the passenger trains?—A. There was no interference that I have known or heard of.

The CHAIRMAN. What time do farmers plant here?—A. They commence about the first of April.

ANGEL MATHEWSON sworn and examined.

By Mr. OUTHWAITE:

Question. What is your age?—Answer. Forty-eight.

Q. How long have you lived in this city?—A. I have lived here sixteen years the latter part of this spring.

Q. What business are you engaged in?—A. I am in the banking business.

Q. Were you here to inquire into the cause and extent of the disturbance of commercial business resulting from the strike on the Southwestern system. You may state what facts you have observed in regard to that matter.—A. Well, in the first place, this city is largely supported by the railroad shops operated by the Missouri-

Pacific Railroad Company, and our commercial business, and all our business here, is largely dependent upon the employes in those shops and the money received by them as wages from the railroad company.

Q. To what extent has it interfered with the business of the town, as you have observed it?—A. Well, the pay-rolls of the employes of the Missouri Pacific Company here are from \$20,000 to \$30,000 per month, and there was a suspension of business here for at least one month. It was just at the time when agricultural implements and seeds were being received, and of course those goods were en route. They were stopped on the road and our farmers very much inconvenienced. Agricultural implement and seed dealers also had their business practically suspended. The employes not receiving their money were unable to make their payments to the merchants, which had a depressing effect generally upon all classes, as all such strikes do. We had in view something of what you might call a "boom" in our town for this coming season, which seems to have been nipped in the bud by the strike.

Q. What was the nature of that boom?—A. It was a building boom, and the building of a new railroad, and a large hotel we had in contemplation, but which has been suspended on account of the strike. Usually at this time of the year we have been very actively engaged in building in the city. As an illustration of the fact, three of our carpenters and builders, who have been serving as a guard at the railroad shops employed by the city, Mr. Young, one of our contractors and builders, Mr. Goodman, and Mr. Burton, are on guard at \$2 a day, because they had nothing else to do.

Q. Can you give in dollars an estimate of the amount of building that has been prevented by the strike?—A. No, sir; I can hardly do that; I think it is impossible. There may have been other causes to keep back the building, apart from the strike; but at this season of the year it has been very active.

Q. And this present season, what is its condition?—A. We have had very little doing in that line; in fact our builders now seem to be quite idle, and are as anxious to get a little job as they would have been to get a contract before the strike.

Q. Do you know anything of the organization of a law and order league or something of that character by the citizens here?—A. I do.

Q. Of how many citizens does it consist?—A. I think something like 400.

Q. What is the object and purpose of that league?—A. To protect property and maintain order in the city.

Q. You spoke of the delay in receipts of agricultural implements and seeds. Do you know whether any portion of the seeds were obtained by mail?—A. No, sir; I do not.

Q. Do you know whether any shipments of produce important to this climate were delayed by the strike?—A. Well, all shipping was stopped. Of course this is a shipping point for grain, and all shipments were stopped for the time being.

Q. But do you know of any especial produce that was prevented from going forward?—A. This is a place where farmers bring their produce for shipment, and there was a delay in the shipment of goods.

Q. Shipment of what? What character of shipment were interfered with?—A. The shipment of cattle and live stock.

Q. To what extent has that occurred at this point?—A. Well, we have two or three men who make that a business here, and they could ship no cattle or other stock.

Q. Can you tell about how many car-loads they ship in a week?—A. No, sir. That is something to which I have not paid any attention.

Q. These shipments of corn and cattle are generally sent to what market?—A. They are usually sent to Saint Louis, and sometimes to Chicago.

Q. Can you give an estimate in dollars as to the amount of damage that has been done to your town by this strike?—A. No, sir; I cannot. It is a thing that cannot be estimated very easily. It is simply a suspension of business of a certain amount done for a certain length of time.

Q. Do you know of any business embarrassments or assignments resulting from the strike?—A. No, sir; I do not know that as a fact. It is generally understood that Martin & Sargent's, grocers, on Johnson avenue, trouble is attributable to the strike. They had been in the habit of crediting the employes.

Q. Do you know how large a firm that is?—A. I do not think that they were very heavy in their line.

Q. (By Mr. PARKER.) Was there any notice or warning given by the strikers, or any one of them, to you or the business men of the town, that they intended to strike?—A. No, sir; the first intimation we had of it was the blowing of the whistles at the shops.

Q. (By the CHAIRMAN.) Do you know anything about any shipment of trees that were stopped in consequence of the strike?—A. Well, I was informed by nurserymen that all their shipments were stopped, and that they could not deliver their trees on the line of the road on time.

ALPHA O. BROWN recalled and examined.

By the CHAIRMAN:

Question. Were there any arrests made during the first 30 days?—Answer. I think not, sir.

Q. (Examining a statement of account presented by the witness as to the expenses paid by the city of Parsons during the strike.) This is the amount of expense the city was put to on account of the strike. Is this a correct account?—A. Yes, sir; it is made out by the city clerk.

Q. And is in addition to the ordinary expenses?—A. Yes, sir.

The account was read as follows:

Account of expenses paid by the city of Parsons, Kans., during the strike, spring of 1886, to date.

Special police	\$1,530 25
Printing	25 00
Ammunition	7 00
Rent of hall	70 00
Freights and miscellaneous expenses	36 00
Livery	18 00
Total	1,686 25

PARSONS, KANS., May 3, 1886.

Respectfully submitted.

K. F. MILLS,
City Clerk.

CHARLES H. KIMBALL sworn and examined.

By Mr. PARKER:

Question. Please state your age.—Answer. My age is forty.

Q. How long have you resided here?—A. Fourteen years.

Q. What is your business?—A. I am a lawyer.

Q. What official position do you occupy?—A. Well, I am at present State senator from this district, and have occupied the position of city attorney in years past.

Q. For how long have you been familiar with the business here?—A. Ever since I have been here.

Q. You were here during the period of this strike?—A. Yes, sir.

Q. Well, you can go on and describe what has come to your knowledge in regard to it?—A. The first that came to my knowledge concerning it was a rumor upon the streets that the railroad men had all struck. I heard the whistle blow, which was the signal for the men to come out, and soon after that saw crowds of them congregated on the streets and going to the room occupied by the Knights of Labor. I inquired what the occasion for the strike was of members of the order and of others, and was informed that it was the discharge of a man by the name of Hall, in Texas, and the refusal to reinstate him. Within a short time after the strike was inaugurated the freight trains were stopped; that is, the running of freight trains into or out of our city. That was done, in the first place, by removing parts of the locomotives and disabling parts of the locomotives and in other ways, with all of which I am not familiar; and afterwards by the disabling of locomotives just as they were about to take trains out—"killing" them, as it was called.

Q. Can you give any additional description as to facts that the other witnesses have stated?—A. I did not hear the statement of the other witnesses. I have just come in. The killing of engines was done by opening a valve which let the water and steam out of the boiler; another way was by breaking the gauge-glass which is used to show the height of water in the boiler; another way was by putting irons into parts of the machinery that would break the machinery; that is, by putting them in such places that either the machinery would be broken or the iron would be crushed that was thrust into it.

Q. By whom were these things done?—A. They were done by the strikers.

Q. Have you any knowledge whether those who did these acts were Knights of Labor?—A. I have no positive knowledge as to who are Knights of Labor, except as I have heard; but I know this in reference to it, that immediately after these things were done upon one or two occasions, to my knowledge, some leader of the Knights of Labor would mount the disabled locomotive and say, "To your hall," and at once the crowd would disperse and go up to the room occupied by the Knights of Labor.

Q. You were present several times when trains and engines were stopped from moving out, were you not?—A. Yes, sir.

Q. You may go on then and describe what you witnessed there?—A. Well, upon one occasion an engine started to move a train coming south, and it had got down as far as Johnson avenue where it was surrounded by a large crowd of men, and some one

of them rushed in and opened the valve and disabled the locomotive. Afterwards the fires were drawn and put out. This, I think, was on the morning of that day when the mayor had issued a call for a meeting. There had been, I might say, several occasions of a similar character previous to this, but that was the first that I had witnessed.

Q. What was the general nature of that call?—A. It was a call on all law-abiding citizens of the city of Parsons to assemble at the opera-house here for the purpose of aiding and enforcing the law and preserving order in the city.

Q. Was there a meeting?—A. There was a meeting.

Q. Did an organization grow out of it?—A. Yes, sir.

Q. Did it take any name?—A. Not at that time. The persons assembled were all sworn in as special policemen.

Q. To the number of how many?—A. About 178.

Q. What did they do then?—A. They marched down to the railroad with the object of preventing any further interference with the train that was about to move out.

Q. Were you one of them?—A. I was, sir.

Q. What occurred when you reached the railroad track?—A. The first time we were informed that the train would not move out until after dinner. We again assembled at 1 o'clock. The force was deployed in a line on either side of the train with a platoon across the track in front of the train. The engine and train attempted to move slowly down the track, and did so until it met with a crowd mostly of men at the Johnson avenue crossing. That was the place where they generally assembled.

Q. Were they railroad men?—A. Of course a large number of them were railroad men, and many who were sympathizers with them or spectators were in the crowd.

Q. What occurred there to the engine after getting that far?—A. The train moved along until the platoon in front of the engine ran against this crowd. The crowd was a great deal heavier than the platoon, and refusing to give way, they pressed the platoon back against the engine. The crowd were on the point of getting on to the engine when the sheriff commanded the crowd to disperse in the name of the law. He said he was there to protect that property and called their attention to the governor's proclamation, in which they had been warned to cease from interference with the movement of trains and commanded them to disperse and refrain from interfering with that train. They hooted him and jeered at him. Then the mayor commanded them to disperse, and his orders were met in the same way by shouts and jeers. Then, as I saw the crowd refused to give way before the platoon of special police that were moving down there, and that in the struggle between the police and the crowd the police were forced back against the locomotive, or almost against the locomotive, so that perhaps if the engine had kept on moving the police would have been crushed by being forced into the machinery, and the crowd refusing to give way, the engine was stopped.

Q. How many were apparently opposing the police?—A. I should think there was about a thousand in the crowd; a great many on the outskirts were merely spectators.

Q. What number would you think took part there by word or act against the performance of duty by the special police?—A. Well, of course, I do not know that there were more than fifty, perhaps not more than thirty or forty, because the point of attack was right around the locomotive, and perhaps eight or ten feet back, and these were the only ones that could by any possibility take part in a possible attack. I could not say how many there were in front, but they were four and five ranks deep.

Q. From what you saw of the crowd, were they mainly sympathizers with the strikers, or what is the fact about that?—A. There were perhaps right round the front of the locomotive about 150 railroad employes and strikers, but as I say not more than thirty or forty were close to the engine and outside of that were, of course, a great many who seemed to be urging the strikers on by various encouraging cries; and then, of course, there were a great many who did not sympathize with them.

Q. Now as to arms and weapons of any sort on the part of either side?—A. There were some pistols exhibited among the strikers. I saw two pistols shown, not with a threat to shoot, but yet I saw them in the hands of persons.

Q. How was it with the policemen?—A. They had no arms except that some of them may have had pistols in their pockets. The order was not to draw any pistols.

Q. Did either side have clubs?—A. Yes; I saw two policemen's billies, as they are called, or clubs resembling a policeman's billies.

Q. But the patrol as a rule had nothing of the kind?—A. Those that I saw were in the hands of the strikers. One striker endeavored to climb on the pilot of the engine with a club in his hand, and another with a coupling-pin, and another had a rock in his hand. I do not know who it was, but it was one of the railroad men I have reason to believe.

Q. What cursing or threats did you hear, if any?—A. More than I can remember. They called to the sheriff and told him to get down out of that, and called to him and said, "Get down or we will pull you down;" and somebody said, "Shoot the son-

of-a-bitch;" and somebody else said, "What in the hell are you doing up there?" and things of that kind.

Q. Was any threat made to you personally for the part that you took in aiding to suppress the disturbances at any time?—A. Well, none orally.

Q. Did you receive any notice in writing?—A. I received two anonymous letters, one of which was left at my house and one was left at the office.

Q. Were they similar?—A. Well, no; they were not similar.

Q. Give us the general purport of the two.—A. One of them said, "You cannot afford to take the part you are taking in reference to the labor troubles"; and there was an additional sentence connected with that which I was at a loss to know whether I would be made to suffer politically or in property.

Q. Was there anything more in the other than you have given us?—A. Well, yes. In that other it was written by a different person. The first was written by a person of some education. The second was by a man who could not, or did not, write decent English. It had the words, "We have got it in for you." I have known of several others.

Q. Go back to the interference of the crowd and tell us what further was done.—A. I had described the situation when matters were very much strained between the police and the crowd. The men that were attacking the engine were evidently a number of them very much enraged. Their demeanor showed that. Their eyes glared and they were fierce and angry, and endeavored to pull the sheriff and myself from the engine. Just at that moment somebody in the outskirts called attention to the fact that the passenger train was coming in. The train pulled in, and some one found from the Eastern papers that the strike had been declared off. If you remember, there was an issue of the daily papers in which it was announced that the strike was off. Some one got on the platform and read that the strike was off, and that the latest news was that Chief Powderly had declared the strike off. After the paper was read from the pilot of the locomotive by the sheriff, and then, I think, afterwards by Mr. Buchanan, a leader, and one of the executive committee of the Knights of Labor. After he had read it he stated: "That is what the paper contains. I have not got it. I have received no such dispatch." That was the substance of what he said. Then the strikers said that there would not be any further interference with trains. It was proposed to let that train go out peaceably, and they said, "No"; but let that train be taken back, and if they received corroborative dispatches there would be no further interference. The police were withdrawn and the train was taken back into the yard, and then I understood that the strikers did not receive corroborative dispatches.

Q. Was this the substance of all that occurred that day?—A. Yes, sir.

Q. When was another attempt made to move a train?—A. Another attempt was made that evening or possibly the next one.

Q. Were you present?—A. I was not; another engine was killed. The adjutant-general of the State was there. I will further state that on the evening after we attempted to move the train, and when it was found that they were still going to interfere with the moving of trains, a number of us joined in a dispatch to the governor, setting forth that it was impossible for the civil powers to successfully cope with the mob that was opposed to the movement of trains.

Q. Was that the same day on which this disturbance occurred?—A. If I remember correctly, it was the same evening.

Q. What was the date of that?—A. I cannot remember. I would state that the substance of the dispatch was that the presence of a body of troops here would be of importance to settle the question without loss of life, and requesting him to send troops here for that purpose. He sent the adjutant-general down here, and the adjutant-general, as he afterwards stated in my presence, had an interview with the Knights of Labor in their hall, and they promised him that there should be no interference with trains.

Mr. PARKER. That is hearsay.

The WITNESS. After that interview was had, the adjutant-general gave notice that he was going to move trains, and the train was made up by the railroad authorities, and was moving out of the yard.

Q. How long was this after the disturbance that you have described?—A. That was the second day after.

Q. And that train moved off and went to its destination, as far as you know?—A. It did. And then they attempted to move another train, and it was disabled right in the presence of the adjutant-general. The crowd surrounded the engine, as it had done before, except that that crowd originated at the depot, and not as far north as the former one. I saw various members of the crowd making a rush for the locomotive, and I saw no more; but I was near enough to see these rushes, and in a moment I saw a cloud of steam forcing itself out from the place where this valve was located, and I recognized at once that the locomotive was killed.

Q. At this time where was the adjutant-general of the State of Kansas?—A. I believe he was on the locomotive, or right near it.

Q. Then it was done in his immediate presence?—A. It was done right in his immediate presence.

Q. About how many Knights of Labor or their sympathizers were there in that crowd?—A. I should think the crowd did not amount to more than five hundred. I went down and got close to the locomotive and saw the part that had been disabled. The glass had been broken.

Q. Did anything more occur at that time?—A. I saw the locomotive afterwards when it was taken back in the shops; the taking out of the train was abandoned for the time being. Then the adjutant-general mounted the pilot of a locomotive standing near there and made an address to the crowd, in which he warned them against further interference, stating that he was here in obedience to the order of the governor of the State, and in obedience to his proclamation, for the purpose of seeing that the laws of the State were enforced, and for the purpose of seeing that further interference with the movement of trains on this railroad cease, and that he warned the strikers to desist from interfering further with the movement of trains, and stated that the entire power of the State, both civil and military, would be brought to bear, if necessary, to enforce what he was stating to them. He stated that he was about to attempt to move another train, and that another train would be ready in the course of half an hour or so, and would be moved out of this city. He hoped that the persons who were there assembled in that crowd would not interfere with that train, because if they did it would be the means of sending a military force to this city. He went off then towards the shops with the superintendent and master mechanic for the purpose of getting the train ready.

Q. Was there any response of the crowd to his remarks?—A. None, except an occasional yell.

Q. But no response that any one should be held responsible?—A. No. They were waited on by a committee of strikers for some sort of a conference, as it was called, to interview them and try to get them to refrain from moving a train on that day. Well, shortly afterwards the adjutant-general returned from the shop with the superintendent of the road, and they informed me that no further attempt would be made to move a train that day. I asked them why. They said that they had agreed with a committee of Knights of Labor that they would not attempt to move a train that day; and the committee represented to them that in all probability they would receive advice before next day that would enable them to cease entirely from the interference with the movement of trains. The next morning there was an attempt made by the adjutant-general again to move a train and that engine was killed or disabled in the same way substantially as the others. The strikers or some one from the crowd would rush to the locomotive and open this valve and disable it. There was an attempt made to break the gauge-glass in that engine also.

Q. Was the engine run back?—A. That engine was backed up into the round-house and the movement of that train abandoned. The adjutant-general left that day, and within twenty-four hours from that time he had troops here.

Q. How many?—A. We understood that he had four hundred and something.

Q. The Kansas State militia, and armed?—A. The entire First Regiment of Kansas State Militia, armed with breech-loading Springfield rifles.

Q. After they came what occurred as to the movement of trains?—A. Well, the first attempt to move a train I think was in the forenoon. They arrived here in the evening of one day and the first attempt to move a train was during the next forenoon. They had a number of soldiers on the pilot of the locomotive and at other points on the engine, armed with loaded muskets and bayonets fixed. There were also guards on other parts of the train, which moved slowly through the city, guarded in that way.

Q. And went on to its destination so far as you know?—A. Yes, sir, it did so far as I know. The mayor issued a proclamation in which he spoke of the presence of troops in the city, and warned all citizens to keep away from the right of way of the company, as there might be a collision between the troops and the mob and he did not wish any one to be hurt, and to avoid trouble not very many were down about the train when it moved out.

Q. And no attempt was made at interference?—A. No attempt was made at interference.

Q. Now in general terms you can state what further occurred.—A. The troops remained here for several weeks, and at first every train was sent out under guard.

Q. For about how long were they sent out under guard?—A. Possibly about a week. A patrol was detailed to guard the buildings and right of way, &c., of the railroad company. The vigilance of the guard and the number of them was relaxed considerably when it was found that there was no interference on the part of the strikers with the movement of trains. After they came here there was absolutely no

interference at all, and nothing further to show that it was necessary to keep guard here while they were here.

Q. Well, after they went away, did trains continue to move?—A. I have, perhaps, overlooked the fact that before the military did come, at the instance of the adjutant-general, we had been discussing the matter here in the city. We formed a Law and Order League. It was over 300 strong before the military went away, and we had arms sent to us by the adjutant-general through the proper authorities, furnishing us with a hundred stand of breech-loading Springfield rifles and ammunition. We detailed a guard from our league to go up there and assist in guarding the shops and property of the railroad company before the military were taken away. We did this in order that there should not be a complete letting down by moving the entire military away at one time; and they were gradually withdrawn, until finally when they left, our guards, to the number of fifty altogether, took their places and guarded the property. We have in a few instances furnished guards to trains, and our guard has been reduced.

Q. Is that guard still continued?—A. The citizen's guard is still continued. It has been reduced to twelve permanent guards, but with a detail at night for several days past for the purpose of giving additional protection at night.

Q. And this guard has been for the purpose of protecting property from destruction?—A. Yes, sir.

Q. In your judgment is this guard still necessary?—A. I am inclined to think that the time has come when it can be dispensed with.

Q. That covers in general terms what has occurred in these disturbances? What has been the position of these strikers as to obtaining work?—A. A number of them have returned to work; a number of others have been arrested and bound over under charges for the violation of criminal statutes.

Q. You mean some of them have returned to railroad work and on the roads, and those who have not returned to such work, what have they been doing?—A. Trying to induce the others to quit.

Q. Have they been living without any earnings?—A. Of course some of them have left town and have perhaps secured work elsewhere. Others that are still here have not labored any to my knowledge.

Q. Have you knowledge of acts done by those not working to prevent others that are working or were working from continuing in employment?—A. I have as a member of the Law and Order League. They were reported to me.

Q. You may mention some of the more prominent ones who have ever told you of that.—A. I have been approached by four or five gentlemen who are at present engaged in working at the shops who have told me that they were interfered with.

Q. Can you give the names of those men, or some of them?—A. I do not remember any that I can give them now, and I do not think I can give you the names. I was not acquainted with them before. I think Hurst was one of them; I do not recollect his full name. He was a workman in the machine shops. And then I think there is a gentleman who has a son that wears spectacles, named Mendall, who works in the shop. He has also made some communication in that connection.

Q. This strike, so far as you have knowledge, was without notice to the business men of the community?—A. It was, so far as I know.

Q. Now these trains that you spoke of that were interfered with. Where were they going?—A. Some of them to Texas and some to Missouri.

Q. Then they were trains that were going to other States than this?—A. Yes, sir.

Q. And of course carrying inter-State commerce?—A. I understand that a number of loaded trains bound for Texas were stopped here, and detained in our yards for a number of weeks.

Q. Had you knowledge of the local disturbance to the business men of the town and the farming community that has been detailed here?—A. I have some knowledge in that direction. I know that our business men who had bought their goods in other States, and wanted them here, could not get them, as they were on the way.

Q. And how as to the farmers shipping their products and receiving their seeds and agricultural implements?—A. I know that the implement men here complained at that time.

Q. Is there any other important matter connected with this strike of which you desire to speak?—A. Nothing further that I know of.

Q. (By Mr. OUTHWAITE.) Please state the charges upon which these men were arrested, in general terms.—A. Well, they were arrested on different charges. On the charge of conspiring together to prevent the operation of a railway and the transaction of its business in the movement of its trains. That, under our statute, is a misdemeanor. With the actual prevention of the movement of trains, with obstructing the road—I do not mean by tearing up the rails, but obstructing the business of the road and interference with its business. That, under our statutes, is a misdemeanor. Then with injuring the property of the railroad company, its locomotive

tives and cars. Injuring a locomotive is, under our statute, a felony. A number of them were charged with that.

Q. A felony is a crime punishable by imprisonment in the penitentiary?—A. Yes, and misdemeanor by imprisonment in the county jail or a fine. And they were charged with tearing up, with the removal and displacement of rails so as to derail a train. That was a train thrown from the track two or three miles from here. And, by the way, in that connection I wish to say that the rails were displaced just about the time when the special police were attempting to move the trains out of the city. They were displaced in such a manner that if the police who were attempting had succeeded in getting the train out of the city, it would have been derailed and thrown into the creek. The train that was attempted to be moved was to go south. The displacement of the rails was on the north side of the creek, and but a few feet from the creek, so that the train would have been derailed and precipitated into this stream. The train not succeeding in moving from the city, why, of course, that train was not derailed. The next train, coming from the south, was derailed, but as the misplaced rail was on the north side of the bridge, the train was not precipitated into the stream.

Q. (By Mr. PARKER.) Was that a freight or passenger train?—A. It was a passenger train that was derailed. In that connection it was reported to me that a number of men were seen moving down the track just about the time that we were attempting to take out this train.

Q. (By Mr. OUTHWAITE.) Please state how these charges were made against the persons arrested. Were they by affidavit or presentments?—A. They were made upon affidavit. The grand jury was not in session, and it was deemed expedient to have arrests made at once, because some of the parties were leaving.

Q. Have any persons been arrested for the derailing done?—A. No one. Understand, I do not state that all the cases of actual obstruction to business, actual injury to locomotives, the removal of parts of locomotives and the displacement of rails, were charged in these affidavits to have been done in pursuance of an unlawful conspiracy and in the carrying out of any purpose attached to that conspiracy; and therefore persons who were not directly charged with the displacement of rails or injury to locomotives were only charged with the conspiracy, and also held responsible for doing those acts in carrying out the conspiracy.

Q. You had a citizens' meeting after the collision occurred in the attempt to move the trains?—A. No; before. There had been a number of trains attempted to be moved and prevented before we had that meeting.

Q. I mean the meeting in which a large body of the citizens participated?—A. We had a meeting before that in the opera-house.

Q. Was there used in that meeting any violent or severe language, such as they would crush out the Knights of Labor, or other incendiary language?—A. No, sir; nothing of the kind. I have invited Knights of Labor to join our law and order league, and have never denounced them as an order. I have said that they were under improper leadership at present, and that as good, law-abiding citizens they ought not to act in sympathy with those men who were responsible for the acts that had been done. I may say that a prominent Knight of Labor attended and warned us against the move we were about to make, and while his warning was somewhat ambiguous in terms, gave us to understand that it would be fraught with danger and perhaps bloodshed if we carried it out.

ALPHA O. BROWN recalled and examined.

By the CHAIRMAN:

Question. Since you were on the stand this morning this document has been handed to me with the request to ask you who served it on you?—Answer. I handed it to the judge a few minutes ago.

Q. What was the date?—A. The strike commenced on the 6th of March. That was handed me by Mr. Buchanan, one of the executive board of the Knights of Labor, on the second Sunday after the commencement of the strike.

Q. What day was that?—A. I do not remember, but about the 20th of March.

Q. This city is within a county, is it?—A. Yes, sir.

Q. And the sheriff has jurisdiction in the city just as much as he has outside?—A. Yes, sir.

Q. Was that circular published?—A. Yes, sir; one of the Knights of Labor kept a copy and handed it to one of the papers of Parsons, the Sun or Eclipse.

Q. Did he say anything to you at the time he delivered this to you?—A. No, sir; I asked him if it needed an immediate reply, and he said, "Not necessarily at present; you can read it over at your leisure."

Q. Did you make a reply to the circular?—A. I did not think it necessary to make a reply.

Q. (By Mr. OUTHWAITE.) State whether, when these attempts were made to move the trains, the sheriff or any of his deputies were present.—A. He was here himself,

and I think he brought in from 20 to 30 men that he brought from outside the city, besides what he got here.

Q. Were the deputies armed?—A. I cannot say positively that they were.

Mr. CRAIN. What is the county seat?—A. Oswego, 14 miles from here, and the sheriff resides there.

The following letter was then read as a portion of the testimony of Mr. Brown:

AN OPEN LETTER.

EXECUTIVE ROOMS, KNIGHTS OF LABOR,
Parsons, Kans.

To A. O. BROWN,
Mayor City of Parsons:

SIR: We are informed on reliable authority that it is your intention to appoint a number of special police for the alleged purpose of protecting the property of the Missouri Pacific Company here; that you propose to import from the Territory for this purpose a class of men whose presence in our midst would be a lasting disgrace upon your administration of municipal affairs and a standing reproach upon the fair name of our city. If such be your intentions, we, in the name of the Knights of Labor here, enter our solemn protest against such an outrageous usurpation of power, and would earnestly call your attention to Ordinances, City of Parsons, 13, section 7, and also to senate bill 87, passed at special session of legislature, 1886. For the wanton violation of the laws we propose to hold you responsible.

It is not claimed that lawlessness or violence has been attempted here, but, on the contrary, the peace of the city has been maintained and the property of the company amply protected. Yet with a full knowledge of these facts you and your allies have called the sheriff of Labette County and a posse of railroad officials to usurp the functions of your office, where his presence was not required and where he had no interest or jurisdiction whatever. The question may be asked, and it is a pertinent one here, why should railroad corporations be so zealously protected by law while the interests of 90 per cent. of our citizens are disregarded or left to protect themselves as best they can, and those citizens the very men who build up our city by productive industry? Sir, there can be but one answer to this question. The servile followers of soulless corporations must obey their dictates, and in this case the old proverb holds good, "The thing created cannot rise above the creator."

This struggle in the cause of labor will continue. Our flag may go down in the conflict, but if so, it would be by the diffidence of our city officials and their ever ready submission to cringe and bend their knees to their god—Mammon. But before our banners are furled in Parsons we will ascertain who are our friends and who our foes are.

"Freedom's battle, once begun,
Bequeathed from bleeding sire to son,
Though baffled oft, is ever won."

LOCAL EXECUTIVE BOARD, No. 3703, KNIGHTS OF LABOR.

JOHN DEAN sworn and examined.

By the CHAIRMAN:

Question. How long have you resided in Parsons?—Answer. Eight years.

Q. How long have you been engaged in business here?—A. Six years.

Q. What is the character of your business?—A. General merchandise, dry goods, and groceries.

Q. Wholesalo and retail?—A. Yes, sir; we do some wholesaling.

Q. What is the aggregate amount of business in your line in this city?—A. I can hardly say. There are four or five general stores here.

Q. Can you give me an estimate of the aggregate amount of business transacted here in all the stores?—A. I suppose they do a business of a million and a half a year, I should say.

Q. Was there a loss on account of the strike in the month of March?—A. I should think so.

Q. Can you give an estimate of what the percentage of loss was?—A. As near as I could give an approximate idea of it, it would be about 25 per cent.

Q. Traceable directly to that cause?—A. Yes, sir.

Q. What was the prospect at the beginning of this season for this city?—A. I think we had a very fine prospect. We had some railroad building in view, public building, and a hotel, and everything looked as though we were going to have a remarkably busy year.

Q. Do you include this anticipated prosperity in the estimate of your loss, or do you refer to the actual loss?—A. I refer to the loss itself.

Q. On a basis of the business that you did last year?—A. Yes, sir.

Q. You have heard the statements made by other witnesses in regard to this condition and how it affected the farmers and their produce. What is your opinion in regard to those statements? Do you coincide with those gentlemen or not?—A. Yes, sir; and there are some additional matters that have not been mentioned. Right south of town here there is a man who ships a great many trees. There has also been a good deal of delay in getting seeds here—garden seeds and matters of that kind. We had some of them tied up during the strike on the Missouri Pacific.

Q. I am requested to ask you in reference to other matters. Did you testify in court that you believed the sheriff was drunk when he signed the telegram requesting troops?—A. I did not.

Q. Do you refuse credit to these strikers?—A. I did after a certain time. We had a good many of these strikers trading with us on credit, and we waited some for the pay-car to come, and we did not feel able to carry them any longer, and we were obstructed some.

Q. What do you mean by your being obstructed—that they were out of employ?—A. The pay-car did not come around because of the strike.

VELASCO J. KNEIPP sworn and examined.

By Mr. OUTHWAITE:

Question. State how long you have been living in Parsons.—Answer. I have been living in Parsons and the vicinity for fifteen years. I was on a farm that I have. I have lived on the farm about five years, and do business at the same time.

Q. In what business are you at present engaged?—A. I am engaged in the real estate business.

Q. I would like a statement from you as to the effects of the strike upon the business of Parsons?—A. Well, as far as my business is concerned it has been very much depressed. There is absolutely no selling property at any reasonable price, and if there are any sales they are few.

Q. What has been the state of the real estate market during the last eighteen months?—A. Well, it was depressed last fall, but we looked for a better time this spring, and had reason to expect it.

Q. Can you state anything in regard to the effect of the strike upon the commercial business at Parsons?—A. I can only state that as I have heard it from the merchants.

Q. What is the general opinion upon that subject?—A. The general opinion is that the trade has fallen off a great deal this spring.

Q. Trade to and from the city?—A. Yes, sir; all round.

Q. The goods necessary for agricultural purposes have been delayed, have they?—A. Yes, sir; to a considerable extent.

Q. Were the shipments from this town to Texas and Missouri interfered with?—A. They were. On the Missouri, Kansas and Texas road they were stopped entirely, except by express, and were delayed some on the Gulf road.

Q. Were you present at any of those attempts to move trains described here by Mr. Kimball?—A. Yes, sir; I was present at the time.

Q. You have heard his statements of the circumstances that occurred there at the time. Do you corroborate his statement?—A. They were substantially the same as I saw. There are some parties that have a lot of hay in the Indian Territory. They had large orders for the hay and could not ship it on account of the strike. Mr. John S. Sipple was the party who was baling the hay and shipping it.

Q. To what points would they ship?—A. That I do not know, because I never was acquainted with their business. They lost a good deal of money by the tie-up.

Q. Were any threats made towards you for your participation in the law and order movement as it is called?—A. There were no personal threats made towards me. I received a couple of little notes before the Law and Order League was started, but not since.

Q. Were they anonymous?—A. Yes, sir; they were.

Q. (By the CHAIRMAN.) Have you any idea who were the authors?—A. I have not any positive knowledge of it.

HARLAN PENFIELD sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. At Nevada, Mo.

Q. Go on and state what you know about the strike at that place.—A. On the 6th day of March at 10 a. m., the switch-engine in the yard whistled, giving a signal that there was to be a strike. Immediately after the whistle sounded my cashier turned his key over, saying, as he turned them over to me, that there was a strike.

I asked him if he had any grievance, and he said "No, we were just ordered to strike," and he was followed in his action by almost all the station employes and the whole of the yard men. I talked to the men and asked them if they had any grievances, and they said, "No; that they had been ordered to strike."

Q. You are railroad agent at that place on the Missouri Pacific Railroad?—A. Yes, sir.

Q. How far is that distant from Parsons?—A. Seventy miles.

Q. Now go on with your statement?—A. Well, my men all quit with the exception of two warehouse men, the night watchman, and three yardmen.

Q. About how many men quit?—A. About 18; from 15 to 18 quit. They put the yard-engine on the side-track and as other trains came in they put them there, and there were no yardmen to get them out. On that night we had a through freight train with perishable and time freight to pass our station about 6 o'clock. When they were just about ready to pull out, the strikers in the darkness went to the engineer and told him not to go out. They took charge of the engine, disconnected it from the train, put the engine in the round-house and side-tracked the train. That was the last freight train we had that day, and there were five trains left in the yard. That evening the strikers or Knights of Labor went to the city mayor and wanted to be appointed to guard the property of the company. He commissioned 25 or 30 as special police. They came about the property armed with revolvers, and every time I hired a man they would wait upon him and say: "We are appointed by the executive committee to notify you that you had better not work here." Even going so far as to tell men that these were dubious times and that they had better not go to work. I asked the men what they were there for. They were there all the time, preventing men from working. Finally I went to the mayor and told him that they were there presumably to guard property, but really to prevent any work being done at that station, and requested him to order them away as special policemen. He did, and put on our own men. As long as these others were there we could not make any attempt to transact business. On the 21st of March I got orders to make arrangements to take a Government freight train on the 22d from Nevada to Parsons. When the engineer came to fire up the engine the strikers, who had for several days been abstaining from coming on the property, gathered around, I should say, to the number of three, four, or five hundred. While they were making preparations to get the engine fired up they were talking to the men and endeavoring to dissuade them from doing so, and a man named Frank Bristol and another named Henry Stratton, not a striker, but a Knight of Labor, obstructed the track right by the round-house—the main track—by pushing cars down. We finally succeeded in getting the engine fired up and were switching and pulling cars back. After we got the cars back they still insisted that we should not do any work, and I remember that two men, a man named Campbell and another, said that the engine should never go out of the round-house. I told them that the superintendent had told me to take a train of Government freight from Nevada to Parsons, and gave them to understand what it was.

Q. What do you mean by Government freight?—A. Government supplies for the use of the troops. However, the Government freight train did not come. Nevada is a coaling station. We have a platform that holds between three and four hundred tons, and I wanted to put on it enough to supply the passenger trains. As we could not take out the Government freight train, I thought we should put up some coal. I asked the engineer if he would move some cars for me and put the coal up there, and he said he would. We commenced to do that, and one John Vandolan warned me not to do it, and told me if I did do it my name was Dennis, and used such other epithets as "son of a bitch and scab." We succeeded in getting the cars coupled together and making the switch. We found the crowd still there in increased numbers, I should say fifteen hundred or two thousand, and as we were attempting to leave the track for the coal chute, and I got off the cars, some one said to me: "If you touch that switch, you do it at the peril of your life." The United States marshal told them that the coal was being put up there for the use of the mail trains, and that if any man molested me he would shoot him on the spot. I turned the switch, and we took up the coal and put it at its place. I then received instructions to put the engine back in the round-house, and see that it was properly protected. I did so by putting guard on the engine, and at ten o'clock at night these guards were approached by a mob of eight men masked, who told them to leave the engine right away. They left the engine, and it was killed, by drawing the fire, taking out the water, and taking part from the engine.

Q. And was it actually disabled so that it could not be used?—A. It had to be repaired again. That was on the 22d. For two days no effort was made to move a train. On the 25th I received notice from the superintendent that they expected the Government train on the 26th, and to make the necessary preparations to take it from Nevada to Parsons. The same opposition was repeated during the firing of the engine, but there was no interference with the movement of the train. There was a Government officer there, and there was no open interference.

Q. And the Government train was moved and went on towards its destination?—
A. Yes, sir. But after the train passed this station we had some work to do and we attempted to do the work in the yard in trying to get a freight train started.

Q. Were you interfered with in doing it?—A. Yes, sir. After the train moved we wanted to put up coal again. They sent notice to the engineer not to work the engine—signed by members of the Executive Board of the Knights of Labor, not to use that engine; and even came down and threatened an engineer by the name of Cross and the fireman, and told them that it was dangerous to run that engine. The engineer told me that they had been threatened and that he could not work, and I called upon another engineer and he said he would work it, and he did so.

Q. Did he use the engine?—A. He did use the engine.

Q. Was he interfered with in doing it?—A. Yes, sir; a man, one of the strikers, got upon the engine and refused positively to get off and he was pushed off.

Q. Was the engineer able to handle the engine and run it?—A. Yes, sir; he ran it with the protection of officers. A day or two following this the same occurrences took place again, except that they were more demonstrative. They interfered by pulling the pins and throwing them at yardmen and switchmen, and setting breakers. They got onto the engine and when the deputy sheriff told them to get off they said they would not go until shot. Their eyes were glaring and they were almost frothing at the mouth, and they boarded the engine and forced the engineer off, telling him that he could not run that engine.

Q. Did they stop the handling of the engine that day?—A. Yes, sir. Finally, we called upon the citizens of the town and they came down in a body of from fifty to a hundred and determined to protect the property.

Q. Under their protection did other trains commence moving?—A. Under their protection the Knights of Labor gave way.

Q. And you went on with business regularly after that?—A. Yes, sir; after that we did business pretty regularly.

Q. And about what date was that?—A. We have done business since about the 29th, 30th, or 31st of March.

Q. What became of this train of perishable freight?—A. Well, sir, we had six cars of perishable freight. I sold the contents of three of the cars by order.

Q. What was in these six cars?—A. Three cars were potatoes, and in the other three there was butter. We had to throw some of the contents away.

Q. Now, I want to know as to the amount of freight at present being moved compared with the freight moved before the strike?—A. There is an increase, I think, judging from the loads.

Q. I do not mean cars, but the amount of actual freight, and wish to know whether there is more moving or less moving than prior to the commencement of the strike?—A. I should say there is more moving.

Q. How does the number of men you now employ there compare with the number of men employed before the strike began?—A. It is about the same.

Q. How many did you employ before the strike began?—A. My pay-roll carried sixteen men before the strike, and I am carrying eighteen now. I would say that about the time we were attempting to move trains, after we first commenced with it, we had a water-tank about three miles south on the Missouri, Kansas and Texas, and another about twelve miles away. They continued to prevent us filling engines by breaking these tanks, and some one disabled the tanks both south and west of us, and we had to fill one or two engines at the city hydrant.

Q. Were the tanks disabled?—A. Yes, sir.

Q. By breaking the tanks?—A. By breaking the engine and breaking the machinery or moving it.

Q. You have no knowledge as to who did this?—A. I have no personal knowledge.

Q. You had no knowledge of who did any of these acts of violence?—A. No, sir; I am sorry to say I did not.

Q. (By Mr. OUTHWAITE.) Did you not say that there were eighteen men who quit work, leaving five in your employ?—A. I said twelve to fifteen when the strike first began.

Q. (By Mr. PARKER.) How many unemployed railroad men are there now at Nevada?—A. All with the exception of two or three, who have removed; the others remain idle.

Q. Then there are twelve or about that who remain there idle; do you mean that, or a larger number?—A. About ten or twelve.

Q. (By the CHAIRMAN.) Did you ever know the cause of the strike?—A. No, sir; the men there were all satisfied.

Q. (By Mr. OUTHWAITE.) Did they never tell you what their grievances were?—A. They never have to this day.

Q. Did they never make any statement in your presence as to the reason for the strike?—A. After the strike occurred they told me that a man named Hall had been discharged; but I am speaking of the grievances at Nevada Station. There was no cause or grievance there.

Q. This question is suggested for me to ask you: Would they come to you with a statement of their grievances; was your authority over them such that they would look to you for redress?—A. The men always have confided with me, but after they struck they reported to the officers of the Knights of Labor.

VELASKO J. KNEIPP recalled and examined.

By Mr. OUTHWAITE:

Question. State what causes or reasons for this strike you heard given by the men who struck, at the time it occurred.—Answer. I talked to several of the men who went out on the strike, and they all stated that they had no wrongs of their own; that they were simply ordered out by the committee of the Knights of Labor. I asked several of them what reasons the Knights of Labor had for ordering them all to quit, and they said it was in reference to this man who had been discharged in Texas and they refused to take him back.

Q. Did they ever state in your presence any other cause?—A. Every one I have talked with said they had no reason as far as they were concerned themselves. They did not want to go out on strike, but they were ordered to go out, and did it.

Q. What statement, if any, have you heard them make justifying their action?—A. I never heard them make any statement to justify their action. They simply seemed to feel that the laws of their order compelled them to go out.

Q. You may state whether at any time you heard any complaint concerning the wages of section-men?—A. Yes; after the strike had been on about two weeks they commenced to complain that the section-men were not paid enough; but they did not say it was the cause of the strike.

Q. What was their claim in regard to the section men at that time, after the strike had been on a couple of weeks?—A. They said they were not paid enough.

Q. Did they not claim that an advance had been promised them from \$1.50 to \$1.75 per day?—A. No, sir; I never heard anything of the kind. They never said it to me

SAMUEL J. THURBER sworn and examined:

By the CHAIRMAN:

Question. Where do you reside?—Answer. At Parsons, Mo.

Q. What is your business?—A. I am traveling engineer for the Missouri Pacific Railroad.

Q. How long have you been so employed?—A. Three years.

Q. Are you still in the employment of the company?—A. I am.

Q. This investigation, as you are aware, is to ascertain if possible the causes of the recent strike on the southwestern system. If you know anything pertinent to that subject, please state it and give your means of knowledge.—A. I was most of the time at Nevada. I was sent for on the 22d of the month to fire up an engine and bring a Government train through; that is, a train containing Government freight. I fired up the engine and then got out to put some coal on the shutes. There was a great mob collected there, about 400. They tried to stop me from moving the engine, but I took her up and put coal up there and then put the engine on a side track. I was in the office, and while there some men came there and called me. I went out to the track and found the fire out and the water blow-off cock was open. That was the last trial that we could make for four days. It appeared that the freight train had been delayed. I afterwards got orders from the master mechanic to fire-up the engine again. I fired her up again with the intention of bringing that train out of there, and they did not molest me at that time.

Q. What was that train loaded with?—A. I do not know; it was the Government train, and that was why they said they would let it go.

Q. You are testifying to the same subject as Mr. Penfield?—A. Yes, sir.

Q. You heard his statement of the facts about this matter?—A. I did not hear all of it, he talked so low. Well, then I went back on the 27th and fired up two more engines to get a train out toward Sedalia. We had a great deal of difficulty. They got up and set brakes, pulled pins, and finally the sheriff arrested one of the crowd. Some of them got into the cab and we threw them off.

Q. How did you get them off?—A. We threw them off.

Q. Were there any threats of personal violence made towards you?—A. Not towards me.

Q. Did you ask them to get off before you threw them off?—A. I told them to get off.

Q. Did they attempt to kill the engine?—A. No, because they did not have time; because they got off or were off; before they could kill her they were on the ground. Well, they went off, and then I went on to Sedalia. I went back on Sunday and took the pony out. She was disabled. The pony engine is the switch engine that is used in the yard. I took her out to the tanks, filled her up, and brought her out. That

was on Sunday. There was nothing done there that day. On the Monday morning I started out to switch in the yard, and the crowd tried to stop us; the men pulling out pins. I went up to a deputy to give orders, and I saw my engineer and fireman coming out of the cab. Some of the men pulling them out; and the engine was then taken into the side track. With the deputy sheriff to fire for me, I went out with the engine myself, and then after we came back we did not do any switching; and we did not do much there till they got out warrants and the citizens took hold of and settled the affair.

Q. Have you stated all that you know about what occurred at Nevada?—A. That is all I know about it at Nevada.

Q. What do you know about the troubles here?—A. I was here the morning the first effort was made to get out a train.

Q. You have heard the testimony of Mr. Kimball on that subject?—A. Yes, sir; but I do not remember much of it, though.

The CHAIRMAN. We do not want an accumulation of testimony on the same subject. If these witnesses have stated in substance the fact, there is no necessity to repeat.

The WITNESS. Well, I was sent out to get engine 53. The sheriff came up with me on the engine there and we came up here, and a big crowd of people were present. We worked our way up to the turn-table, turned around and came back as far as the water tank, and took water and stopped. The crowd tried to persuade the engineer not to go out, and they afterwards took the engine back to the turn-table, killed the engine and put her in the round-house. I tried to stop them, but they took me back.

Q. Do you know anything about the causes of the strike?—A. No, sir; I do not.

Q. Have you heard any of the Knights of Labor state what the causes of the strike were?—A. Well, yes; they told me it was on account of a man in Texas, or Jericho, or somewhere, that they struck for. That was all that they ever told me.

Q. Did they ever make any complaint to you of a different character?—A. No, sir; that seemed to be all there was of it.

Q. Was the only complaint that they ever made based upon the discharge of H in Texas?—A. I did not know anything about the strike until the whistle blew they all turned out and said it was a strike. Afterwards I heard that this man Hall was the cause of it.

Q. What is the duty of a traveling engineer?—A. Well, as a traveling engineer I have to look after the machinery of the road and the engineers to see that they keep their engines up in good shape, and see that they are capable of running them.

FRANK P. ANDERSON sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you live?—Answer. At Nevada, Mo.

Q. How have you been employed recently?—A. I am a railroad contractor, and I am also engaged in coal mining and in zinc and lead mining.

Q. At what points?—A. I do the coal mining at Rich Hill, and lead and zinc mining in Jasper County, Missouri, but my personal attention has been given to railroad building for the past five or six months.

Q. I will request you to state what you know of the cause of this strike, if anything.—A. Well, sir, I do not know anything of the cause of it except what the strikers have told.

Q. Were their statements made at the time?—A. Yes; made at the time that the strike took place.

Q. What statements were made to you as to their reason for striking?—A. They first claimed that it was on account of the discharge of a man named Hall on the Texas and Pacific road, but it appears that when that became untenable they afterwards claimed that they had other grievances of their own, and that the strike was made on that account.

Q. What were the personal grievances that they claimed to have had?—A. I do not know, except that I saw them stated once in the papers.

Q. Have any of the strikers themselves told you directly of their personal grievances?—A. The only personal grievance that I heard them give was on account of the pay of the section men.

Q. Was it because it was not advanced from \$1.50 to \$1.75, or something of that kind?—A. It was something of that kind that they claimed. I think they claimed that it was probably \$1.10 and that they wanted it raised to \$1.50.

Q. Please state what you have observed as to the effect of the strike upon the business interests of the country, the commercial and business interests especially.—A. As far as my observation has gone it has been very great.

Q. How has it shown itself?—A. I believe that for twenty or thirty days business was at a standstill; that is, all railroad business.

Q. Is the coal which you mine at Rich Hill transported out of the State of Missouri?—A. Yes, sir; a portion of it.

Q. Was that transportation interfered with by the strike?—A. Yes, sir. The company that I work for in the coal business in taking out coal ship over the Missouri Pacific system; and, of course, their trains having stopped, that suspended the coal business; and there was no coal transported until the trains got into operation again.

Q. How did the strike interfere with the other business in which you are engaged?—A. Well, I cannot say how it is in the business of the lead and zinc mine, and in the shipment of ore. The ore is sold to purchasers, and we do not know whether it will go over the Missouri Pacific road or whether it would have gone over the Frisco road, I was not there during the tie-up, and consequently cannot speak of its effect upon that business.

Q. What other facts do you know that would throw any light upon the question?—A. It affected us very much in the building trade. A great many contemplated new buildings. The State of Missouri is building an institution for the insane; the contractor had come on the ground and prepared to commence work, and he was stopped for twenty or thirty days on account of his inability to get lime and lumber; and he would have been able to have given employment to 50 or 75 men.

Q. Where had he to get the lime from?—A. The lime comes, some of it, from Hannibal, Mo., some from Chicago, Ill., and some of it from Kansas. We have no system of road except the Missouri Pacific, and we were cut off from connection with any other road. The merchants had to haul their goods over from Fort Scott during the continuance of the strike, and they had also to haul flour, as we have only one flouring-mill in our town. Of course that all had a tendency to put up the price of those commodities.

Q. What is the population of Nevada?—A. It is about 6,500.

DAVID H. HOLLISTER sworn and examined.

By Mr. PARKER:

Question. What is your age?—Answer. I am 42 years old.

Q. Where do you reside?—A. At Nevada, Mo.

Q. How long have you lived there?—A. About a year and two months.

Q. What is your business there?—A. I am a yard-master for the Missouri Pacific Railroad.

Q. Were you on the ground during the strike at that point?—A. I was employed there as yard-master about the 6th of March.

Q. Tell us what occurred there in addition to what the other witnesses have told and which took place in your presence?—A. The first I knew of it was that a committee of Knights of Labor came to my house to see me—I work at night and sleep in the day time—and wanted to know if I would not join with them in the strike. I asked them what was their object. They said it was for the benefit of the laboring class, and they also said that they wanted me to join with them. I told them that I was satisfied with my wages for the present; that I had no complaint, and that I did not see how I could, but I would not go down and work that afternoon.

Q. Did they specify anything more definite as the reason for the strike than that it was for the benefit of the laboring classes?—A. No, sir; they said nothing else at that time.

Q. Was anything said as to wages?—A. There was nothing said about wages.

Q. Was any thing said about Hall?—A. Not at that time. I went down that afternoon and found all my men were ordered off duty. Our engine was killed, and there was nothing for us to do but look after the passenger trains. There was no labor for us.

Q. Did the occurrences take place after this as have been stated by the other witnesses who have testified here—Mr. Penfield and Mr. Thurber?—A. Pretty much the same. I have asked a great many of these men what they were striking for, and the general expression was, "Damned if I know." They would say there is to be an assessment of 5 cents apiece, and something like a million and a half of money raised. The strike went on, and then there was some talk that the section men were to get some benefit out of the strike.

Q. Have you heard whether there was any dissatisfaction on the part of sectionmen as to the amount of wages they received?—A. At the outset that was probably talked of. Something was said about the sectionmen.

Q. When did you hear that?—A. I think it must have been the second day after the commencement of the strike.

Q. Not before that time?—A. I think not.

Q. And then not from the sectionmen, but from other strikers?—A. I heard it from sectionmen and other strikers.

Q. They then made that complaint?—A. They then made that complaint.

Q. And gave that as a ground of the strike? Did they or did they not?—A. They said they struck because they were requested to strike. Most of them did not give it as their grounds.

Q. I understood you to say at first that they did not give the cause, but stated that

they were ordered to strike, and that the reason was for the good of the working class, and now you state that there was some talk about the wages of sectionmen.—A. I said that the men that approached me when they were first ordered out said that, and afterwards the sectionmen and other men spoke about the pay at a later day, and up to the present they speak about the same thing.

Q. I want you to tell us a little more definitely what they said and who said it, and what class of men it was that complained as to the sectionmen's wages.—A. What class of men that spoke about it?

Q. Did sectionmen complain to you about their wages, or explain to you that that was the ground of the strike?—A. I guess they did; some of the sectionmen.

Q. Now, when was that that they complained to you of it?—A. It must have been the second or third day after the strike.

Q. Did other men besides the sectionmen give that as one of the grounds of the strike?—A. I do not know that they did; but said that it would be a benefit to them, and that they were to be benefited.

Q. (By the CHAIRMAN.) What were the names of the committee that waited on you?—A. Mr. Nichols, Mr. Saks, Mr. Shell, Mr. Dauphine, and Mr. Kelly.

Q. Were they Knights of Labor?—A. I do not know, sir; I understand that they were.

Q. Are you a Knight of Labor?—A. I am not.

Q. Are your assistants in the yard Knights of Labor?—A. They were not.

Q. You never did quit work, then, did you?—A. No, sir; I did not.

Q. That is, you never voluntarily quitted work?—A. No, sir.

JOSEPH M. SHEA sworn and examined.

By the CHAIRMAN:

Question. What is your occupation?—Answer. I am a switchman at the present time.

Q. Was that your occupation at the time of the strike?—A. It was previous to the strike.

Q. Were you in the employment of any railroad company at the time of the strike?—A. I was in the employment of the Missouri Pacific Railroad Company.

Q. Where?—A. At Nevada, Mo.

Q. State what you know, if anything, in connection with this strike, and the cause of the strike?—A. I did not know the cause. I was working nights, and about half past ten o'clock the clerk came up to the room and notified me that there were several gentlemen downstairs wanted to see me, and I told him to bring them up. They were Mr. Saks and Mr. Bowman, and several others whose names I don't recollect. They asked me if I would not strike, and I asked them what it was for, and they said it was not necessary to explain that. All they requested of me was that I should quit, the same as they had. They told me the engine was dead and in the hole, and that if I was called upon to take employment I was to say that I did not want to do it, and they went out. I believe I told my yardmaster of the conversation, and told him that if he was ready to go to work that I would get up and go down there after dinner. I met several of these parties and asked them what the strike was for, but they did not tell me; and they have never yet told me.

Q. Had you anything to do with the attempt to move engines and trains there?—A. Yes, sir; the night after they had notified us not to work I went there and found Mr. Hollister (he was at that time night yardmaster) and Mr. Treadway, a man who is working with me, and asked if it would not be best for us to stay and assist in changing sleeper on the L. and S. division when the train come in, and *vice versa*, and we all concluded to do it, and we asked Mr. Penfield if we worked would we be paid for it, and he said he did not know. We changed the sleepers that night, and we were lying in our beds about 1 o'clock, when Mr. Saks and Mr. Kelly and two or three others came into the room and remarked that we were pretty "sons of bitches," and that they had quit. We told them that all we had done was to change the sleeper, but they did not accept our excuse, and the consequence was that we went home.

Q. What idea do you mean to convey by that?—A. They threatened that we would be violently dealt with in case we continued to work. My life had been threatened before by the Knights of Labor, and they had sent me notice with their seal on it, telling me that I had to leave town, as I was known as a company man. I do not recollect all the expressions used to me, but only some of them. This was given to me at Kansas City, by a man named Mendle, William Rockwell, and some others.

Q. Did you know them to be Knights of Labor?—A. Yes, sir; I knew them to be Knights of Labor.

Q. How long before this affair did they notify you?—A. I think it was about the 28th or 29th of November; and then I got anonymous letters afterwards.

Q. Do you know whether they came from Knights of Labor or not?—A. No, sir;

I did not. I was giving that as an explanation for my reason for going home. I did not want to stand up against three or four men.

Q. Tell us what language they used?—A. They told me I would be killed in case I insisted upon working at the office.

Q. And you believed them?—A. I positively did at the time; I took their word for it.

Q. What became of the other man that was there with you?—A. He went home also.

Q. Were you treated with any violence during this strike?—A. I had been pulled from cars and trains by the Knights of Labor and by one named Vandole. There were crowds there of some two or three hundred several times, and I cannot say on which occasion that was, but it was during the time we were attempting to get out a train north.

Q. How long did this state of affairs last?—A. The violent element infested the yard about two or three days.

Q. Killing engines and doing damage to property—is that what you mean?—A. I mean the mob. They did not kill many engines. The citizens rose up after awhile and said that they would not allow any such work done in Nevada; and after that we did not have any more engines killed.

Q. You have heard the testimony of Mr. Penfield and Mr. Thurber as to the occurrences there. What have you to say as to the accuracy of their statement?—A. What I heard of them I believe to be identical with what I saw.

Q. Do you know anything specially that is not known to anybody else but yourself in this matter?—A. I do not know anything in particular.

Q. (By Mr. OUTHWAITE.) Please to fix the date of the communication which you received, and which you state has the seal of the order upon it.—A. I think it was the 28th or 29th of November. I turned that over to Mr. Frey, and I suppose it is in the hands of the officers at the present time. It came about in this way: I was appointed, through the influence of Mr. Frey, agent at Kansas City. I refused to join the Knights of Labor. Then the Knights gave notice to Mr. Drake that in case I should take charge they would strike. That was the 1st or 2d day of November. I had gone over there on the 28th of October.

Q. How did you know that they interviewed Mr. Drake?—A. Mr. Drake and Mr. Dalby went down and met a grievance committee, and when they came back they told me that they did not want to have any trouble with the men, and the best thing they thought would be to let me go back to Nevada. I staid there ten days, and then came back. That was a position of \$135 per month.

Q. (By the CHAIRMAN.) And the company did not sustain you?—A. The company hacked down and did not sustain their nominee.

Q. And when your life was threatened you backed down that night?—A. I left that night.

Q. I believe you say that none of them told you what was the cause of the strike?—A. They never told me.

Q. What company were you going to work for?—A. It is the Southwestern system. I have been at work for no other company.

Q. The reason assigned to you by the railroad officials was that the Knights of Labor threatened to strike in case you were employed, and that they did not want to have trouble with the Knights of Labor, and therefore they could not employ you, is that correct?—A. Yes, sir; that was at Kansas City.

Q. What positions in the railroad company did Mr. Drake and Mr. Dalby occupy?—A. Mr. F. B. Drake was assistant superintendent at the time; he is superintendent at Sedalia now. Mr. James Dalby was trainmaster; he is at Kansas City, at headquarters.

TRAVER W. NEWALL sworn and examined.

By Mr. PARKER:

Question. Where do you reside, and what is your age?—Answer. I reside at Parsons, and my age is forty.

Q. What is your occupation?—A. I am master mechanic of the Missouri, Kansas and Texas Division of the Missouri Pacific road.

Q. And that was your position during the month of March last?—A. Yes, sir.

Q. You have heard some of the evidence this morning?—A. Yes, sir; some of it.

Q. As to the strike and the trouble growing out of it?—A. Yes, sir.

Q. Have you any knowledge of the cause of the strike?—A. No, sir. On the 6th of March I was in the shop and at 10 o'clock the whistle blew. I immediately went back to the office and there met the general foreman, and asked him to go after the committee.

Q. What committee do you refer to?—A. The local grievance committee in the shops.

Q. Of what order?—A. I presume the Knights of Labor. While he was gone they

came into my office. I asked the question or rather remarked, "Why have you stopped work?" The answer was "We have stopped to win."

Q. Who were this committee?—A. E. B. Hollis and Charles Dope of the round-house.

Q. Were they employed in the shops?—A. Yes, sir. I asked the question what they proposed to do, and their answer was to the effect that they would let the passenger trains run, but nothing else. The question was then asked about our office force, as it was that time in the month when it was necessary that the force should be used to settle up last month's business, and I wanted that force to be allowed to remain. Part of the pay-rolls were made out. But they did not propose to have that done. They said they proposed to guard the property, and I told them that if they did they would have to pay for it themselves, to which they did not object. That was about the substance of that conversation.

Q. Was anything said during that conversation as to the reason or cause for the strike?—A. I asked him if there was any trouble here. They said, "No, sir; we have got no grievances here." The next morning, Sunday morning, Mr. Golden, division superintendent, and myself went into the assembly room of the Knights of Labor, and as some of our engines had been disabled here, I made a demand that the parts that had been taken from some of the engines should be restored.

Q. What were those parts?—A. The valve-rod, throttle-connection, and the link of the lever.

Q. Without which the engines could not be used?—A. Most emphatically not, sir. They answered the question, "How do we know where the pieces were, or who did this thing?" The question was then asked if there was any trouble, or any cause, or anything here that we could settle to end this trouble. They said there was nothing; the only place it could be settled was at Marshall, Tex. On March 6 there were five disabled engines in the round-house here at Parsons. During that night, and afterwards, as engines came in they were disabled. At different times during the strike there were seventeen engines in all disabled.

Q. And all disabled at one time?—A. Yes, sir; until we could get sufficient time to guard them and put them into repair again.

Q. During what period were they in that disabled condition?—A. From the 6th of March until the troops came here, on the 2d of April.

Q. Go on with your statement of the occurrences at the interview with the Knights at their room?—A. They simply laughed at us. We made repeated attempts to move trains out, but the cars were uncoupled and the engines killed.

Q. How many men were employed at the shop?—A. There were 208 men employed at the shop before the strike.

Q. How many struck?—A. They all went out.

Q. Did they go out voluntarily or because they were ordered out?—A. The majority of them went out voluntarily, but quite a number went out because they were ordered out.

Q. Ordered out by whom?—A. Most certainly not by the company.

Q. Were they not compelled to stop by the company after the pay-roll was suspended?—A. Some firemen were, after our business was suspended.

Q. What other information have you as to the cause of their striking or the reasons that were given by the men for going out?—A. Well, sir, the only information I have as to the cause was the allegation about this man at Marshall.

Q. Had you heard any complaint as to the payment of the section men?—A. That was a subsequent question brought up after the strike.

Q. You have heard the evidence of other witnesses as to the collision between the officials and the strikers and the other disturbances. Are these statements, so far as you have knowledge, correct as made here?—A. I believe they are.

Q. Are there any other facts not testified to that you know of? If so, just state them.—A. I know of nothing but what has been offered here.

Q. How many men are you employing in the shops now?—A. One hundred and thirteen.

Q. Is that all you need?—A. That is about all we need.

Q. How many strikers are there here now and out of employment?—A. I cannot tell; some of them have left town. I cannot approximate them. The time was so short from my first coming here that I knew few of them.

Q. (By Mr. OUTHWAITE.) How long were you here before the strike?—A. I came here on the 8th of February, and the strike was on the 6th of March.

Q. (By the CHAIRMAN.) How is it that you can now do the work with 113 men when it required 208 before the strike; have you increased the hours of labor?—A. We have increased the hours of labor from nine hours to ten hours. Previous to the strike the hours were nine hours a day.

Q. Have you increased the wages correspondingly?—A. Most assuredly. The men are paid by the hour.

Q. You do not pay them by the day?—A. We pay them by the day, but if they work nine hours they are paid for it, and not paid for ten hours.

Q. They are not paid for a nominal part of a day?—A. No, sir.

Q. Can you give any reason why these 113 men are sufficient to do the work that 208 were doing?—A. The only reason I can give is the fact that with but few exceptions the men who have come back are skilled laborers, and a majority of them went out in this strike. With few exceptions all of them have made application to go back to work.

Q. How is it that you can carry on your work with 113 men now—many of whom were employed before the strike—when, according to your statement, it required 208 men to do the same work before the strike?—A. Before the strike the company was carrying more men than it needed, and the work can be done to a better advantage with less force than we had before the strike. The officials had really no authority in the shops. The men practically ran them, and the officials could not discharge a man but what they would be compelled to put him back.

Q. (By Mr. PARKER.) To whom do you refer as the officials?—A. The officials immediately in charge of the Department. The foreman or master mechanic.

Q. The policy is changed as to that?—A. It is the endeavor of the company to operate the road itself, I believe, as far as it can.

Q. (By the CHAIRMAN.) Do you intend to convey the idea that the railroad corporation kept in their employment nearly a hundred more men than they needed?—A. There was a larger force than was necessary.

Q. How much larger?—A. About 25 per cent.

Q. Then you need more men than you have got now?—A. Probably we will put on more men as our business will permit.

Q. Mr. Penfield said the work was greater than before the strike. If so, would you not require more men now than you have employed?—A. Yes, sir; we will employ more men.

Q. Will you wait for them to come and offer themselves?—A. Yes, the right men can.

Q. Are you instructed by the management of the company not to employ Knights of Labor?—A. No, sir.

Q. When a man comes for employment, do you ask him now if he is a Knight of Labor?—A. Sometimes I do. It depends upon the man. If a man has been obnoxious, or violent, I ask him. I have asked some men to withdraw from the organization and I would employ them, and I have got others employed now that I never asked anything.

Q. Were there any instructions issued to you on that subject?—A. No positive instructions in any way.

Q. What do you mean by the word "positive"?—A. I have no instructions that are positive any further than to be careful as to who was employed.

Q. You seem to intimate that you had some instructions?—A. Only that.

Q. Do you know anything about any intimidation or threats that were made to the men who went to work?—A. Only as it has come to me from them.

Q. What proportion of the strikers went back to work?—A. About 60 per cent. of the force was employed.

Q. (By Mr. OUTHWAITE.) Was any complaint made to you prior to the strike of grievances on the part of any of the employees in your department?—A. The only grievance that came under my observation while I have been here was, that on the 27th of February a committee composed of Mr. E. B. Hollis, of the machine shop; Mr. Dote, round-house foreman, Mr. Quarles, foreman painter, and two others. I think one of them was Mr. Piefer. They demanded the removal of the foremen of the shop. They requested that the foreman carpenter, Mr. Shoose, and the foreman boiler-maker, should be removed. I asked the reason for it and they told me from the fact that they were obnoxious to them. I told them in answer to that that I had been here so short a while that I could not take action at that time; that so far as the work of these two men was concerned I had no fault to find. I told them that they must prepare their grievances on paper, and I would consider them. This they did not do. There was also a demand, or a request, made that the pay of some apprentice boys should be increased. I told them that that was beyond my latitude, but I would refer it to the management. I did so, and got instructions to increase their pay.

Q. What increase was given?—A. 10, 12, and 15 per cent. increase was given to these apprentices.

Q. From whom did these requests come?—A. From Knights of Labor, I presume.

Q. Had that request been complied with before the strike?—A. Yes, sir; it went into effect that month.

Q. Just before the strike did you or did you not make a statement that you had lots of work to do, and that you would probably need more men?—A. Most assuredly I did not. For I had instructions not to increase the force.

CHARLES W. WELLER sworn and examined.

By the CHAIRMAN:

Question. What is your occupation?—Answer. I am foreman of the shop of the Missouri, Kansas and Texas Road at Parsons.

Q. How long have you been employed in that capacity?—A. I have been here for the last eight months.

Q. State what you know about the cause of the strike in March.—A. About all I know is about the same story that Mr. Newall has stated. One of the executive committee of the Knights of Labor told me that they had no cause outside of the discharge of that man Hall, in Marshall, Tex. He told me that himself, about the 25th of March.

Q. After the strike had been on about nineteen days?—A. Yes, sir.

Q. Did the men ever present any grievances to you?—A. They never did, but told me they had no grievances here. They told me that on the 6th of March.

Q. Your testimony, then, would be substantially the same as Mr. Newall's, and you corroborate his testimony?—A. Yes, sir.

Q. Were any threats made to you or to the men who were taken back into the service of the company?—A. There have been threats sent to a great many men working down there. They have had notices served on them to quit work.

Q. Have you any of the notices with you?—A. I have not.

Q. Do you know where there are any of them?—A. I gathered up several of them and gave them to the master mechanic.

Mr. NEWALL. They have been gathered up and sent to Saint Louis.

Mr. OUTHWAITE. How could they be identified?

The WITNESS. They bore the stamp of the order.

Q. Give us the names of the men to whom they were sent, so that we can have them called and take their testimony.—A. Charles Mendle, junior and senior; Phil. Lawrence, and J. V. Scott. That is all that I can think of just now.

Q. What were the contents of those notices?—A. They notified them to come up to the assembly room, and that certain of them would be expelled if they did not come round to the hall.

Q. Those were notices to come to the hall?—A. Yes, sir; they were for them to come to the hall.

Q. I thought from your testimony that they contained threats of violence to them?—A. No, sir; they contained no threats of violence.

Q. Were any threats made to you?—A. No, sir; not personally.

Q. Did you receive any in writing?—A. They notified me through the executive board to leave the shop, and go home and stay there.

Q. Were you a Knight of Labor?—No, sir; I used to be a Knight of Labor.

Q. Were you at that time?—A. No, sir.

Q. You had withdrawn?—A. I do not belong to this order at all.

Q. You were notified to quit work?—A. I was told to go home by the local executive board, and stay.

Q. Did you obey this instruction?—A. I did. I obeyed them for three weeks. I went home and stayed there for that time.

Q. Did you go back to work?—A. I did.

Q. What was the cause of your going back to work?—A. I had to have something to eat for my family. I had to support them.

Q. Did the company take you back without any objection?—A. They did.

Q. Did they exact any condition from you in taking you back?—A. They did not.

Q. You applied for your former position?—A. I applied for anything they would give me. I did not know whether I was going to be employed in the same position or not.

Q. Did they reinstate you without any question whatever?—A. Yes, sir.

Q. Do you know anything about the cause of the strike except what you heard?—A. That is all. An engineer friend of mine came to me last evening and told me to be careful what I did, as they had some scheme afloat, and they said it would either happen on Tuesday or on Friday, and he came to put me on my guard. He is in the hall now. His name is McLean.

Q. Was he a Knight of Labor?—A. I cannot say.

Q. He warned you that there was some threatened danger?—A. He did, sir.

Q. Did he indicate to you what it was?—A. No, sir; he did not.

Q. What was his language?—A. That was his language, just as I have repeated it. He went to my house and not finding me there he came down after me.

Q. How many were there at work in the shops just previous to the strike?—A. About 208 or 210.

Q. How many are employed there now?—A. Between 113 and 117.

Q. Do you do as much work in the shops now as you did previous to the strike?—A. Well, we do not.

Q. Were any new men hired just previous to the strike?—A. As fast as men would quit and go away we would fill their places, merely keeping the force up to the number of about 208 to 210.

Q. What proportion of the amount of work that was done previous to the strike do you do now, or what percentage of work is done now compared with the work done before the strike?—A. With the force of men we have there now we do about 70 per cent. of the amount of work we did before the strike.

WILLIAM T. NELIGH sworn and examined.

By Mr. OUTHWAITE :

Question. What has been your employment for the last year or so?—Answer. I have worked in the shops of the company. I have learned my trade here.

Q. What position had you within the last six months?—A. I am a lathe-hand.

Q. State whether you are a Knight of Labor?—A. I am, sir.

Q. What information had you of this strike before it was declared?—A. None at all.

Q. What cause was given to you for the strike?—A. There was no cause given at all. I ought to state that we have a constitution and by-laws in our order, and of course we are expected to live up to them. In regard to the strike the constitution and by-laws is not lived up to. They state that you have got to go about it in the right way. That is, you have to make all attempts to get a settlement by arbitration before you order strikes. So I asked the question of some of the members in regard to whether they had put forth these efforts, and they said they had not. And I then thought we had no more right to strike.

Q. When they said they had not, did any of them tell you what was the reason, as they understood it, for the strike?—A. They claimed it was Martin Irons, who had the power, and that he had done it.

Q. What reason did they say Martin Irons gave, if any, for the strike?—A. Well, that is the mystery at the present time, and I have never had an opportunity to draw it out of any of them.

Q. You have met them daily?—A. I have been right in their hall with them.

Q. You have heard them talk?—A. Yes, sir.

Q. Have any of them said in your presence to any one else what was the reason?—A. Some of them claimed that it was on account of Hall, in Texas; then others would claim that it was not, and that there were other grievances. When I asked the question as to the other grievances, and asked them also, "Did you try to arbitrate those grievances?" then they said, "Well, no; I do not think that they did." I had parties call on me at my room, and I asked them if they were not violating the constitution and by-laws of the order. I generally converted these persons, and they came to the conclusion that I was right.

Q. Have any of them gone back to work?—A. Yes, sir; I have gone back to work, and my partner also has gone back to work.

Q. How long did you stay out?—A. I stayed out until Mr. Powderly, the Grand Master Workman, gave the order to return to work.

Q. Did the company exact any condition of you when you went back?—A. They had a paper there which just said that they would have the power to discharge me whenever they thought fit. They never asked me whether I was a Knight of Labor or not.

Q. You may tell whether any threats have been made to prevent you from continuing to work for the company?—A. Just before I went to work, when I was walking out of the room one night, I got something. It was a note. I took it back and went into the room and found it stated: "Look here, Neligh, some of us understand you are going to work. If you do so your death is on your own head," and signed "Knight of Labor." It was all misspelt, and the note was fixed up in such a way as to disguise the handwriting. It was an anonymous note.

Q. Have any direct threats been made to you by any members of the order?—A. No direct threats.

Q. Have you seen any portion of this trouble during the attempt to resume traffic?—A. I only saw one train wrecked; that was the day the adjutant-general was here.

Q. How many Knights of Labor have returned to work?—A. Well, there is, I should judge, about twenty mechanics that have gone back to work.

Q. Do you know whether they are Knights of Labor?—A. I know one of them is. One of them is a German, and I asked him if he was a Knight of Labor and he said he was.

Q. You say there are twenty mechanics. Do you know any Knights of Labor in any of the other branches?—A. Yes, sir.

Q. How many that you know of?—A. I do not know exactly, because I do not know their names. I think that there are men in the round-house, in the car department, and in the machine-shops.

Q. If you are not personally acquainted with them, tell us how you know they are

Knights of Labor?—A. I have seen them in the hall when I have been there at meetings of the organization.

Q. Have you been expelled from the Knights of Labor?—A. I have been expelled or replaced from what they tell me; they put me on the list as a "scab," and I understood that is done by the executive board; a man came by and told me that they had.

Q. Who was this man that told you they had put your name on the "scab list"?—A. It was a man named Berry that came by and told me.

JOSEPH MALSEID sworn and examined.

By Mr. PARKER:

Question. What is your age?—Answer. My age is forty.

Q. Where are you employed?—A. In the machine-shops of the Missouri, Kansas and Texas Railroad.

Q. How long have you been so employed?—A. Two years; with the exception of a few weeks that I was off during the strike.

Q. What is your trade?—A. I am a machinist.

Q. Are you a Knight of Labor?—A. I was up to the strike. I understand that I have been expelled along with others.

Q. What was your position in that order?—A. I was master workman in it for some time previous to the strike, and last mentioned on a "scab list."

Q. Do you know what that is?—A. I understand from that, that the names of those who went back to work are put up on the blackboard in the hall.

Q. And that is called the scab list?—A. I believe it is.

Q. What knowledge have you, as a Knight of Labor, as to the cause of this strike?—A. The nominal cause of the strike was the discharge of Hall on the Texas and Pacific road; also, I believe, that there are grievances behind that; but they were never submitted.

Q. Have you taken any steps to try to find out what the cause of the strike was?—A. No, sir; I have not; any further than we would get at the hall.

Q. Have you been in Texas lately?—A. I was in Denison once soon after the strike was inaugurated.

Q. Did you find out what they claimed to be the cause of the strike at that place?—I found that the men of Denison were willing to return to work. That was the first week of the strike. They claimed that the cause was insufficient to justify the strike.

Q. What was that cause?—A. They stated that they appointed a committee to examine into the cause to see if Hall was competent, and the committee reported that he was incompetent; and yet a demand had been made on the company to reinstate Hall.

Q. Was that report made by the committee or by the executive board?—A. By the executive board, and they said they were going to report it to the order.

Q. And the matter was dropped there?—A. No, sir.

Q. What more was done about it?—A. They went out on the strike and have continued on it.

Q. Who were this committee that investigated Hall?—A. I only know one of them, George Lyman, of Denison.

Q. Upon this information or report that you received at Denison did you go back to work?—A. Not until some time afterwards; probably about two weeks.

Q. What induced you to go to work?—A. I was satisfied in my own mind that we could not make a success of the strike.

Q. What was your judgment as to the cause being sufficient or insufficient to order the strike?—A. I did not think that we had any right to demand the reinstatement of a man on a road in the hands of a receiver of the United States court.

Q. Did you consider that that justified you in returning to work?—A. That together with the fact that the cause was hopeless, and from the further fact that we were in opposition to public opinion, which was against us; and other things.

Q. How long is it since you went to work?—A. Three weeks ago to-day.

Q. Have any threats been made against you since you went to work?—A. Not personally. I never had any trouble with them.

Q. Have you been threatened in any manner, by writing or otherwise, since you went into the employment of the company?—A. The day that I was to go to work I went down and signed that statement of the company, and there was a stone thrown at my house, by whom I do not know, between eleven and twelve at night. I got up and looked out and saw three or four figures retiring, but I could not recognize anybody.

Q. Did the company require any pledges on taking you back, or require you to disconnect yourself with the Knights of Labor?—A. No, sir.

Q. That statement that you signed, what was the substance of it?—A. That the company reserved the right to hire or discharge whoever they pleased whenever it was necessary.

Q. With whom did you have a conversation when you signed that statement A. with Mr. Newall.

Q. Is there any law or rule in the district assembly requiring the question of a strike to be submitted to the local assemblies before the strike is ordered?—A. There is. District Assembly No. 101 requires a vote to be taken before the strike is ordered.

Q. To be taken by the local assemblies?—A. By the local assemblies constituting the district.

Q. Was that done?—A. That was done so far as I know. It was done in the assembly here.

Q. And the district assembly has no authority to order a strike until the local assemblies constituting that district have so voted?—A. That is the intention of the law.

Q. (By Mr. OUTHWAITE.) You say that that was done in the assembly here? When was it submitted?—A. The question I voted upon was "Shall the executive board of District No. 101 be sustained?"

Q. When was that submitted to you; after the strike?—A. Previous to the strike.

Q. "Sustained" in what?—A. In demanding Hall's reinstatement.

Q. That was the question that was submitted to you?—A. Yes, sir.

Q. (By Mr. PARKER.) What was this question in your assembly?—A. It was to sustain District Assembly No. 101.

Q. Did you understand that vote to authorize a strike in case Hall was not reinstated?—A. I understood it that they should use every means in their power to settle the question first before the strike was ordered; and I am satisfied that that was not done.

Q. Then the effect of your vote was not to order a strike, as you understood it?—A. It was merely to sustain District Assembly No. 101 in using all the power at their command to get his reinstatement.

Q. What does that imply; that they were to seek to obtain arbitration?—A. Yes, sir; by arbitration.

Q. Did it include a strike in case he was not reinstated by the company, or was it to obtain it otherwise than by strike?—A. I suppose it would mean that.

Q. (By Mr. OUTHWAITE.) State whether a vote was taken on demanding a recognition of the order at that time.—A. Not in my presence. It might have been at another meeting that they might have had.

Q. Such order or vote was taken as to a demand for an advance of the pay of section hands?—A. That vote was taken in Saint Louis at the regular meeting of the district assembly in January. Then that demand was made. Whether the executive board submitted it to the officials of the railroad I cannot say. That and other measures, as to the apprentice system, was talked of, and of refusing to work overtime, except in cases of necessity. All these measures were submitted in Saint Louis in January. I have never been fully satisfied that they have been submitted to the company.

Q. (By Mr. PARKER.) You state this from what you heard, or were you there?—A. I was a delegate at Saint Louis. I know these measures were passed upon; but I have never been satisfied that they were presented.

CHARLES M. MENDLE, Sr., sworn and examined.

By the CHAIRMAN:

Question. What is your occupation?—Answer. I work at the machine shop; I am a machinist; in the Missouri, Kansas and Texas shops.

Q. How long have you been so employed?—A. About five years.

Q. Were you so employed on the 6th of March last?—A. Yes, sir.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Did you go out on the strike?—A. I did.

Q. Have you gone back to work?—A. Yes, sir.

Q. Have you been threatened since?—A. To some extent.

Q. State the extent.—A. Well, I was threatened to the extent that when those that were out got in "all black sheep would be kicked out;" that was said to me.

Q. Who said that to you?—A. A man by the name of Wilkinson.

Q. What position did he occupy in the Knights of Labor?—A. I do not know that he occupied any position.

Q. Was he a member of the Knights of Labor?—A. Yes, sir.

Q. He simply made that statement to you?—A. Yes, sir. I have been talked to a number of times since then. They paid off here on Saturday, and I received two checks; one check was for February, and for March there were five days; then I found it was understood that all men who wanted a job should go and see Mr. Newall, the master mechanic; well, on Sunday morning I went down in town and some others stopped me and wanted to know if I was not going back to get my job.

Q. Were these people who had gone out on the strike?—A. Yes, sir; I saw quite a crowd of men going over towards the office, and I went over there; I inquired on my way

"who these men were, and I was told they were men going to get their jobs again. I saw Mr. Newall and said to him, 'Well, Mr. Newall, I have come to see you, and to see if I can get my job again?' He said, 'Can you sign that?' pointing to a paper that was there inside the office. I asked him what it was, and he said to me, 'Go and read it.'"

Q. What was it?—A. It was to this extent: "That they could discharge a man whenever they wanted, and that they could quit whenever they wanted."

Q. Were you reinstated in the same position that you held before?—A. Yes, sir. That was on the Sunday, perhaps, along about the forepart of April, and about half-past eleven in the forenoon. John Murphy and John McFeely, Knights of Labor, asked me if I had been over to the shop, and I told them that I had, and that there were 19 or 20 men that were over there. I came down town and met two men, by the name of William Loveland and John Brannon, and Loveland said to me, "You are a damn pretty man; you ought to be ashamed of yourself." I worked that afternoon. So that evening I was standing at my house, and two men came—Jesse Bate and Walter Martin—and there were two more came up. I asked them what they wanted. They said they wanted to have a talk with me about going back to work,

Q. Were they talking as representatives of the Knights of Labor or as individuals?—A. That I cannot say. One of them remarked that "I could not be a friend of his, and go to work in that shop," and I asked him if he did not try to get a job there, and could not get it.

Q. All this, you know, is personal. The Knights of Labor as a body are not responsible for the acts of individuals unless those individuals represent them by authority. Do you know of any such case?—A. Yes, sir; as far as the man said he came there, and said he volunteered to come as a committee. His name was Davidson. He wanted me to come to the assembly. I told him I would not come. He tried to get me to come, but did not use any threats, and I did not come. The next Sunday I received two or three notices to come to the assembly.

Q. What was in those notices?—A. The first one stated that if I did not pay up \$1.10 dues that I was behind, they would treat me according to law. The next one was that some one was to be there to make a speech, and that I should be there, and that I had been misinformed about being expelled. It also requested me to come up to the room next day.

Q. Are these the threats that you have been speaking of?—A. These are not threats.

Q. Have you ever been threatened with personal violence?—A. Nothing more than that when they got in of course the "black sheep," "scabs," and so on, would be thrown out, and could not get a job in the United States.

Q. (By Mr. BUCHANAN.) Were you \$1.10 behind?—A. Well, I cannot say as to that; perhaps I was. The law requires that three months' notice shall be given before action is taken on arrears of dues.

Q. (By the CHAIRMAN.) What induced you to go back?—A. Seeing so many of them make application to go back, and being advised by men whom I considered to be my friends, that was what induced me to go back.

Q. Give the names of the parties who visited you after you had been to see the master mechanic, and what they said?—A. Sam Golden and Jack Wilkinson. They both requested me not to read that paper. It was the Eclipse. I told them I would. They said, then, "We want to talk to you." I asked them, "What do you want to talk to me about?" Golden says to Wilkinson, "Don't talk to the damned fool." I said to him, "You have got no right to talk of me in that way," and passed him by, and he said to me, "You are God-damned scab." Wilkinson ordered me never to visit his house. Then my near neighbor came over there, and they went off.

Q. What is the Eclipse?—A. It is a paper printed in this city.

Q. Why did they object to your reading that newspaper?—A. That paper was pretty severe on some of us.

Q. Were you a deputy sheriff?—A. I believe I was sworn in.

Q. Was that after you went back to work?—A. Yes, sir. I believe it was on the 8th of April.

JOSEPH MALSEID recalled and examined.

By the CHAIRMAN:

Question. Do you identify that circular [exhibiting to witness copy of resolution adopted by District Assembly 101, at Saint Louis, in January, 1886]?—A. Yes, sir; that was passed upon in Saint Louis in January, and ordered to be printed.

The following is the circular referred to:

CIRCULAR.

The following resolution was adopted by District Assembly No. 101 at its annual session in Saint Louis, January 9, 1886:

"In view of the fact that a great many of our members are out of employment,

and believing as we do that the hours of labor should be reduced as soon as possible to eight hours:

"Therefore, this district assembly, in executive session, declares that no Knight of Labor (road men excepted) being a member of any local assembly attached to this district assembly, be allowed to work more than ten hours in each twenty-four hours, unless considered to be absolutely necessary by the local executive board, and that this district assembly declare that no work be considered a necessity, except the prompt movement of the United States mails.

"Per order of District Assembly No. 101."

Q. What does that "O. K." mean [referring to a pencil mark on the copy]?—A. That has been posted up in the shop. I do not know what that means.

Q. What does the "147" in pencil mean over the head of the circular?—A. I do not know, sir.

Q. (By Mr. OUTHWAITE.) When the vote was taken as to sustaining District Assembly 101 were there any opposing votes?—A. There were one or two, I believe, but it was almost unanimous.

Q. Did you vote against the proposition?—A. No, sir.

THOMAS G. GOLDEN sworn and examined.

By Mr. OUTHWAITE:

Question. State your age.—Answer. I am 44.

Q. Where are you employed at present?—A. In Parsons.

Q. In what employment?—A. I am division superintendent of the Missouri Pacific.

Q. How long have you been in the employment of that road?—A. Six years.

Q. How long have you been located by your employment at this place?—A. One year.

Q. State what you know of the beginning of this strike.—A. The strike commenced at ten o'clock on the morning of the 6th of March, by the men all quitting work.

Q. What knowledge had you that it was going to take place at that time?—A. I had no knowledge whatever.

Q. What information had you as to any grievances, or cause for the strike?—A. I had no information until after the strike. That evening I sent a note to Mr. Hollis and Mr. Quarles, of the executive committee of the Knights of Labor, and requested them to call at my office, which they did. I asked them for the cause of the strike, and if they had any grievances. They said that they struck to sustain the brethren of their order on the Texas and Pacific Railroad. I asked if it was the case of C. A. Hall, at Marshal, and they said it was. I asked if they had any grievances, and they said they had not—none of sufficient amount to cause a strike; and I then asked Mr. Hollis if we couldn't settle without a strike.

Q. Have you heard any farther statements since that time as to the cause of the strike?—A. Nothing, except what I have read in the papers.

Q. I mean from the Knights of Labor, have you had any other information?—A. No, sir.

Q. Where were you during the efforts to resume traffic here?—A. I was in Parsons.

Q. Were you present during the time when Senator Kimball gave his statement?—A. I heard Senator Kimball's testimony.

Q. In the main, is your recollection the same as his?—A. It is like his, with the single exception that he stated the adjutant-general and myself agreed to suspend operations from 3 o'clock until 9 o'clock next day. I was not a party to that agreement. The adjutant-general made it, and asked me to respect it, and I did.

Q. Do you know whether any statement was made that the section hands had been promised an increase of wages from \$1.10 to \$1.50 per day?—A. I have no knowledge of such a promise.

Q. Do you know anything of a complaint that certain apprentices were not receiving as much pay as they were entitled to?—A. I heard of that; it was in the machine department, and was settled at the time.

Q. Do you know any other facts connected with the strike than those which have been testified to here?—A. Nothing of importance about the strike. I would like to say that during the year prior to the strike I had two or three grievances presented to me by the men, and in every instance the company settled them by acceding to the demands of the men.

Q. What was the nature of those grievances?—A. One was to increase the pay of the yardmen and switchmen at Parsons, another was the case of a man discharged for the destruction of the company's property; after he had been discharged the Knights of Labor waited on us, and I put him back.

Q. Any other?—A. I do not know of any other now.

Q. How do the men work here—piece-work or by the day?—A. In my department they work by the day.

Q. Are there any departments in which they do piece-work?—A. Mr. Newall, who is master mechanic, can give you better information than I can on that subject.

Q. Has there been any increase of labor for the same amount of wages in your department?—A. No, sir.

Q. (By the CHAIRMAN.) In the conference which you spoke of, did you ask those parties if they knew that the Texas and Pacific road was in the hands of a receiver?—A. I told them both of it, and told them that the Missouri Pacific had no power to reinstate Hall. Their reply was that it could give instruction to have it done.

Q. (By Mr. OUTHWAITE.) Have you been threatened with personal violence in any way?—A. No, sir. I heard Mr. Newall's testimony, and I would like to confirm that part of it which pertains to the interview in the assembly hall, when he demanded that the machinery be replaced.

Q. You went with him; what was the demand, that the machinery should be replaced, and what reply was made?—A. Mr. Hollis said that he didn't know where the missing pieces were, and after some other conversation he made a remark like this, "Suppose that four or five hundred names were put in a hat, how would you know who took certain numbers out?" giving me and Mr. Newall the impression that lots had been drawn and certain men detailed for that work.

Q. (By Mr. BUCHANAN.) Was that all that he said in reference to the missing pieces of machinery?—A. That was the most important part.

Q. You spoke of an impression being left on your mind and on Mr. Newall's; suppose you give the important words that created that impression.—A. It was the remark of Mr. Hollis, "Suppose four or five hundred numbers to be put in a hat, how would you know who drew certain numbers?"

Q. You say that these men told you they quit work; did they say from whom the instruction came, or whether it was from any association?—A. The men present talking with me I knew to be Knights of Labor.

Q. They didn't say from what person or assembly?—A. No, sir.

Q. You say that in your department the men work by the day; what is your department, or what men are under your department?—A. The men in the train service. They work by mileage, and are paid by the mile.

Q. Then they are really working by the piece rather than by the day?—A. Yes, sir.

Q. You spoke of an increased pay to the yardmen. What was their former pay, and what was the increase?—A. The yardmen had been paid \$1.65 per day; it was increased to \$1.70. The switchmen had been paid \$2, and it was increased to \$2.20. The arrangement was entirely satisfactory to the men.

Q. Were those the only ones who had their pay increased?—A. They were the only ones for whom an increase had been claimed.

WILLIAM T. NELIGH recalled and examined.

By the CHAIRMAN:

Question. You signed an agreement with the company before you went back to work. Is that a correct copy [showing witness the annexed agreement dated Parsons, April 5, 1886]?—Answer. That is a copy of the agreement.

It was introduced as follows:

"PARSONS, April 5, 1886.

"We, the undersigned, being desirous of employment, hereby apply for positions in our respective branches of the service. In accepting said employment with the Missouri Pacific Railway Company, leased and operated lines, we distinctly understand that we are to be employed by the Missouri Pacific Railway Company, leased and operated lines, for just such time as the said company may desire to retain us.

"We further understand that the said company will retain our services for only such time as it may be deemed necessary and to the said company's interest."

Q. (By Mr. PARKER.) What do you mean when you refer to the "scab list"; to whom does that apply?—A. The "scab list" is a list of those who have gone back to work.

Q. Do you refer to any particular list of names?—A. I do, sir. For instance, if a man returned to work they put his name upon the blackboard.

Q. On the blackboard in the assembly, and that was what that list was called?—A. That is what it is called.

Q. (By Mr. BUCHANAN.) In what was that black list written?—A. It was written in chalk.

JOSEPH B. LAMB sworn and examined.

By Mr. PARKER:

Question. What is your age?—Answer. It is fifty-nine.

Q. Are you a resident of Parsons?—A. Yes, sir.

Q. How long have you resided there?—A. twelve years.

Q. What is your present business?—A. I am running a newspaper.

Q. Are you the editor of the Eclipse, that the witness named?—A. Yes, sir.

Q. Has that paper taken decided ground upon the strike?—A. Tolerably so, sir.

Q. Justifying it, or otherwise?—A. We never undertook to justify it.

Q. What was the cause of the strike?—A. Well, sir, from the best information I could get at the time, as I was reporting the facts for the public use, I heard it was on account of the discharge of a man named Hall, down in Texas.

Q. Anything else?—A. There was no other reason alleged at the commencement of the strike.

Q. From what sources did you obtain this information?—A. I generally picked it up on the streets, around the stores, and of different people that I met.

Q. Do you mean Knights of Labor, or do you include the citizens generally?—A. Some were Knights of Labor, and some were not. I mean to say that that was the current report. That was the report given by the strikers themselves, and was received by the people.

Q. Now, what can you say as to the effects of the strike?—A. Why, I can say that its effects have been disastrous to everything. Everything has suffered more or less from it.

Q. What benefit has it produced?—A. Well, if there has been any good come of it, I do not pretend to know what it is.

Q. If you can recall circumstances as to the effect that have not been stated by other witnesses we would like to hear them, but we do not care to accumulate testimony on the same points.—A. I have heard most of the witnesses who have testified, and they have described everything very accurately. The information received from them is exceedingly accurate.

Q. And you indorse the statements that you have heard given here to-day. Have you any other facts?—A. I do not think that I have any further facts to add to the statements of those who have preceded me.

DAVID KELSO sworn and examined.

By Mr. BUCHANAN :

Question. What is your profession?—Answer. I am one of the attorneys of the Missouri Pacific Railroad system.

Q. And you reside in Parsons?—A. Yes, sir.

Q. How long have you lived here?—A. About twelve years.

Q. You have heard the testimony given here on the subject of this strike?—A. Yes, sir.

Q. Do you know of any other facts that would be of interest or utility to the committee?—A. In addition to what has been said, I may state that I am generally over the road, and attending to law cases that have arisen on the line of this road at points where there are no other railroads except the Missouri Pacific, and at those points the people were suffering to a great extent. At Council Grove, for instance, a town of 2,000 inhabitants, they had to send away twenty odd miles to obtain the necessary supplies to sustain themselves, and the effect of the strike was very great in all those towns where there was no other road but the Missouri Pacific. I would state that I made individual inquiries, because Mr. Hoxie wired me frequently during this late unpleasantness to get the information, and that occasioned me to make more inquiry than I otherwise would have made as to the effects of this strike. The cause generally given for the strike was the discharge of this man named Hall, at Marshal, Tex., who was in the service of the receivers of the Texas and Pacific, for the United States court, and in a corporation at that time severed from the southwestern system, and not under its control. I said to a great many of the strikers that they were asking this company to do a physical impossibility. I told them that if there were any wrongs the company would redress them. I told them further that it seemed to me to be a terrible thing for them to paralyze the business of the country without sufficient cause, and that I thought that the executive board, some of whom I knew to have intelligence and honesty, when they studied the matter, they would reconsider this step and go back to employment. Among other things they said that there were grievances with regard to the section hands along the road; that some of them did not receive sufficient pay. I inquired of various section foremen, and they told me they had no grievances, and they said that their men were getting more wages than they could get from farmers; that farmers in the country were paying \$16 a month, without limit to hours, and that the railroad company was paying them more wages and required less hours of labor. Some little was said about the hospital fund that the company is handling for its employes for the support of a hospital at Sedalia, Mo. It is one of the best institutions that the railroad can have to save large doctor's bills for its employes and supply them with the very best physicians that the company can employ. I said to some of them that there was no cause

for this strike; that I was friendly to them; and that I had not the least feeling in the world that would prompt me to say anything against their interests; that they were getting satisfactory wages, and that it seemed to me to be better judgment for them to return to their employment; but the reply would be: "We are ordered to strike. It is a matter beyond our jurisdiction. We are controlled by a superior body, to which we owe allegiance, and we must obey orders, to the sacrifice of ourselves."

Q. Can you give me the names of those who gave utterance to such expressions?—A. Mr. Neligh, who has just been before the committee, and Mr. Campbell. I think we had conversations to that effect.

Q. When you told them about the situation on the Texas and Pacific, and that it was under the control of the United States court, what reply did they make to you?—A. They were dumb as to that. They did not make any answer.

Q. This \$16 a month that is paid by farmers to their laborers, does not that include board?—A. Yes, sir.

Q. Is there any other fact that you know of that would be of service to the committee?—A. Nothing but what I did in reference to serving notice on the city authorities for the safety of the property. I served notice upon the city that the company would hold the city responsible for the action of the mob, and asked the mayor to use his power to suppress the mob that was here.

Q. (By the CHAIRMAN.) Have you a law of the State that makes the city liable for the damage done by mob violence?—A. Yes.

Q. (By Mr. BUCHANAN.) Have you any law in this State making the malicious destruction of property a criminal offense?—A. Yes, sir. We have also a law in the State making it a misdemeanor, punishable by a fine of from \$50 to \$500 and twenty days' imprisonment, for any person intimidating another.

Q. So that for all acts of violence, either to person or property, your law in this State is ample already to punish?—A. Yes, sir. The statute defines two or more persons engaged in that kind of business as a mob.

Q. I mean that as to any act of violence either to person or property your State law is ample to protect, if it be properly enforced?—A. Yes, sir.

Q. And you know of no legislation on that subject further than you have stated?—A. No, sir. We have in force an arbitration law in this State for railroad employes or employes of any company.

Q. Has that been made use of in this State?—A. No, sir; it has not. My observation has been that in this case there were no grounds for arbitration of any grievances.

Q. How long is it since that law was passed in this State?—A. It was passed last winter, at the instance of the Knights of Labor.

Q. And there has been no necessity for its use since?—A. As a member of the legislature, at the time it was passed, they came to my desk and asked my influence in its favor, and I gave it voluntarily.

Q. (By Mr. OUTHWAITE.) Were you present at the time when the switch engine was taken to the round-house?—A. Yes, sir; I had a ride upon that engine.

Q. It is reported that you were armed and drew your revolver upon that crowd?—A. I have never carried a revolver since the war, or any fire-arms, except to hunt, and then a shot-gun.

Q. Do you know of employes of the road being compelled to sign a release to the company from liability for any injury before they can have the benefit of the hospital service?—A. There is no such rule that I have heard of. If there is such a rule I have never seen it. I was going on to say that I notified the city that it was liable, and that I served notices upon the city. I made an individual effort to protect the property, to save the city as much as possible from damage, and had the approbation and consent of the first vice-president, H. M. Hoxie, to employ about thirty-five or forty reliable, steady men, and they were to be furnished with arms and ammunition and supplies to guard the property in the shops and near Parsons from destruction. This was done because of the fact that I received information, which I am not at liberty to tell, that an attack would be made upon the shops and injury done to the locomotive power and the stationary engine. I had occasion to go to and from the shops frequently, and see that these men were at their posts doing their duty. When the governor made his proclamation, and as soon as I could get the sheriff here, there were appointed special deputies to take care of the property up there, and I think that by keeping these men there the property was saved from destruction.

Q. (By Mr. OUTHWAITE.) During this time were any threats made against you personally?—A. Yes, I heard of a great many; but I do not care to mention them; I do not think that anybody intended to hurt me. The boys generally are pretty friendly to me. I do not think any of them are afraid of me, or that I of them.

Q. (By the CHAIRMAN.) Do you know of any instances in which after men who had been injured had entirely recovered they were denied employment by the company unless they would sign a release of all claims against the company, on account of

those injuries?—A. Well, sir, I do; but not during the time of the Missouri Pacific having charge. I remember of an instance; but it must be ten years old now.

Q. None later than that?—A. I have heard an intimation to that effect. I think a man named Nichols, in this town, made a remark of that kind. I said to him that our company did not damage its men, and that if one was guilty of negligence I did not see how he could have any just claim against the company, and he answered that he could not get employment without signing a release. I told him that I would not give employment either, under such circumstances; and that I would not employ him or anyone else, because I said to him we have had some instances where parties prosecuted claims which I thought were groundless, perhaps more from prejudice against the company, and on account of the general favoritism towards men who were claiming for injuries against the railroad companies, while they were themselves the very men who caused these injuries.

Q. Is it not a fact that all these injuries might have been caused by some other employé and not the employé that was injured?—A. Certainly, there are cases in which they occur.

Q. Do you know of any case where an employé was refused employment after his recovery, and where he had been injured through no negligence of his own?—A. No, sir; in cases that I am thinking about of that character, the men were killed.

Q. Was the man of whom you are talking injured through any fault of his own?—A. I do not know that it was through his own fault, but that was the evidence.

Q. Your observation was made in the light of your understanding that the injury was partly his own fault?—A. Because another man, associated with him, and near the same grounds, was present and subject to the same injury, and claiming to have received the same injury, found out that he had no claim, and dismissed his suit and went back to work. Now this man can go back to work. I was going to say that the accident occurred in the shops, and was from actual carelessness, as shown in the case of John Perrigory. The testimony was very contradictory, and the employés in the shops testified directly against the testimony of the master mechanic, of the clerk, and of the foreman of the blacksmith shop; in fact, the bulk of the testimony was against the claim, yet the jury believed the testimony of these two parties in preference to the class and number of men that have testified for the company, and gave an award of damages. My experience is that a discharged employé is the most dangerous witness that can be put on the stand as far as the company's interests are concerned.

Q. But is not the average Kansas jury likely to do justice?—A. Yes, sir.

JAMES J. MCFEELEY sworn and examined.

By Mr. PARKER:

Question. What is your age?—Answer. Thirty-six.

Q. How long have you resided in Parsons?—A. Nine years since last July.

Q. What is your present occupation?—A. I am a practicing attorney and justice of the peace.

Q. Have you been present in the hall and heard the testimony given here to-day?—A. I heard a portion of it.

Q. Did you hear the testimony of Mr. Kimball?—A. I heard a portion of his testimony.

Q. You may go on and describe what you know as to the cause or origin of the strike.—A. All I know is from talk with the strikers.

Q. Have you any personal knowledge of the cause of the strike?—A. No, sir.

Q. Are you a Knight of Labor?—A. I am, sir.

Q. You may go on and state what you saw of the origin and continuance of the strike; but first let me ask you, did you say you were a lawyer and also a Knight of Labor?—A. Yes, sir. [Laughter.] I was admitted to the bar after I had joined the Knights of Labor. I was formerly employed in the M. K. and T. shops. I am a machinist by trade.

Q. And after you became a Knight of Labor you became a lawyer?—A. I was admitted to the bar.

Q. And, being so admitted after being a Knight of Labor, you continued and are now a Knight of Labor?—A. Yes, sir.

Q. Now go on and state what you know of the origin and continuance of the strike?—A. The only thing that I know about the origin of the strike, or the first that I heard of it was, the whistle blew on the morning of March 6. I was in my office, and I heard some grumbling among the men before that, and as soon as the whistle blew on the Saturday morning I had some idea what it was. There was a general feeling of uneasiness, and some grievances, and one thing and another, and I knew all felt that it was a strike, and that the men were out.

Q. Now go on and tell us what you saw of it and knew of it.—A. I cannot say that I

saw much of it. I was not upon the railroad company's grounds but once during the whole strike, and that was for about fifteen minutes.

Q. Was that at a time when any of these difficulties occurred that have been testified about?—A. It was right after the adjutant-general had got through talking to the crowd. I was passing down Central avenue and I saw the adjutant-general upon the pilot of the engine talking to the crowd, and I went down that way and he got through two or three minutes after I got there.

Q. If you can describe any local effects of the strike, you may please do so as they appeared to you.—A. I will say this, that there is a very bitter feeling existing here between some of the citizens and the so-called strikers, and it is so bitter that sometimes it seems to be hardly safe in the community. It is reported and generally understood that the so-called law and order organization is for the special benefit of a few men seeking to accomplish their own objects and ends, and to get rid of some men, and for the purpose of promoting their own benefit. Threats have been made at different times as to what would become of men who would not join the Law and Order League. I have been told that some members of the Grand Army here have stated that they were told if they did not join the Law and Order League their pensions from the United States Government would be stopped.

Q. Who told you this?—A. Mr. John M. Jones told me.

Q. Is he a Knight of Labor?—A. Yes, sir; I understood it from George Camp and a man named Jeffries.

Q. Whose pensions were threatened if they did not join the Law and Order League?—A. Yes, sir.

Q. Now tell us when this bitter feeling that you spoke of began?—A. Well, I would have to go back many years, to go back to the beginning of the ill will between a few citizens here.

Q. It began before this strike, then?—A. It has been a part of the contention between two factions for political power and for other purposes.

Q. Were the Knights of Labor members of either faction?—A. Not that I have knowledge of.

Q. Then this bitter feeling you spoke of was not between the Knights of Labor and citizens, but between factions outside of Knights of Labor?—A. It was between factions outside, sir.

Q. Then this strike was an independent movement, so far as that contest is concerned?—A. Yes, sir; it was an independent movement.

Q. The Law and Order League, was that organization, so far as you know, for any other purpose than to deal with the disturbances arising out of the strike?—A. Well, sir, I have heard it reported that the leaders had other objects in view.

Q. Do you know of any fact indicating that the Law and Order League originated in any other purpose than to meet the disturbances occasioned by the strike?—A. Personally I do not.

Q. Then the Knights of Labor and the Law and Order League have no necessary connection with any factional difference existing previously, have they?—A. Well, I may say they have and they have not. There are some members of the Knights of Labor who have the enmity of the Law and Order League, but I do not suppose the Law and Order League was organized for these few men.

Q. The Law and Order League is composed largely of the business citizens, is it not?—A. A few of them.

Q. Are not most of them?—A. Well, I do not think they are, but they may be; I do not know.

Q. Do you know of any body or class of citizens who are outside of the Law and Order League, unless it be the strikers?—A. I have heard other men who are not strikers, and not Knights of Labor, saying that the Law and Order League was unnecessary, and has done as much injury or more injury than the strike has.

Q. Can you tell who they are?—A. I think I heard Mr. Tisdale pass that remark, and Mr. S. M. Daley pass the same remark.

Q. Are they business men here?—A. Yes, sir; and then there are others I cannot now recall; I think Dr. A. M. Fellows passed the same remark.

Q. Can you give anything further as to the effects of this strike here?—A. The strike has been very injurious in effect.

Q. Have you any knowledge, speaking as a Knight of Labor, that it has benefited anybody?—A. I cannot say that it has.

Q. Were you present at the time when it was voted to sustain District Assembly No. 101 in demanding the reinstatement of Hall?—A. I was not, sir; then I will state further, in order to show the feeling produced by the Law and Order League against strikers, and against Knights of Labor, that last week we had a prosecution where it was charged by a striker that an assault had been committed upon him by one, formerly a striker, who is now in the employ of the company. The evidence was clear, even by the defendant's own admission. The case went to the jury. Three months ago that jury would have been out two minutes. It was an intelligent jury,

and as good a jury as that would not have been out three minutes before on this occasion. On account of this feeling that I speak of, they were out for five or six hours, and stood six to six, and so they had to be discharged. I understand that is the way the jury stood from what I heard some of the jurors said. At least I have been told so since.

Q. What reason would you assign for their action?—A. I knew they were intelligent, and could tell what was right from wrong, and the evidence was so plain that I cannot attribute it to anything else but this outside feeling.

Q. The jury in the case did not decide as you thought they should have decided?—A. That often happens.

Q. (By Mr. BUCHANAN.) You do not refer to the cases in which you win?—A. I do not refer to the cases in which I win.

Q. When you heard this about pensions being cut off, what reply did you make?—A. I did not believe a word of it.

Q. You had no idea that General Black would cut off pensions for that cause?—A. It was a threat. They used to have a good deal of influence with gentlemen in Washington.

Q. (By Mr. OUTHWAITE.) That was before General Black came in, was it not?—A. Yes, sir; that was before General Black came in. Things have changed some since then, but they have not realized it here since.

Q. (By Mr. BUCHANAN.) Was it stated to you that this strike was ordered to sustain the strike on the Texas and Pacific, arising out of the discharge of Hall?—A. That was one of the reasons.

Q. Did you understand that Hall was discharged from the Texas and Pacific, and not from the Missouri Pacific?—A. That was my understanding.

Q. Do you know whether the Texas and Pacific was in the hands of a receiver at the time that the strike occurred?—A. I heard that afterwards. I did not know it at the time.

ALLEN B. HACKER sworn and examined.

By the CHAIRMAN:

Question. Were you in the Army during the war?—Answer. Yes, sir; I was.

Q. Are you a pensioner?—A. I am a pensioner.

Q. Do you know the purpose for which the Law and Order League was organized in the city of Kansas?—A. I can give my impression.

Q. What is your opinion based on?—A. My opinion is based on the rumor that it was to carry out Jay Gould's proposition that the Law and Order League has been organized.

Q. Had you any knowledge of its purposes, and, if so, how did you obtain it?—A. Only from what I saw and from what I could hear and could catch on the street.

Q. (By Mr. OUTHWAITE.) Please tell us what you heard and caught on the street.—A. By hearing through street talk that the object was to secure position, and to carry out the objects of the railroad company.

Q. (By the CHAIRMAN.) What were the rumors that you heard on the street?—A. These rumors.

Q. Whom did you hear saying these things?—A. I could not state at this time who they were.

Q. Were they members of the Law and Order League?—A. As you have perceived, there is a discrimination on the part of the people. One part are Knights of Labor and the other citizens.

Q. Who were the parties that you heard declare the object of the Law and Order League?—A. They were citizens.

Q. Were they members of the Law and Order League?—A. I do not know. I conversed with citizens.

Q. Do you know that there is a Law and Order League here?—A. I have heard that there is.

Q. You say that you know the object of that organization?—A. I do not say that I do.

Q. I want to know whether these men were members of the Law and Order League who told you what its objects were?—A. I cannot say that they were.

Q. Were they Knights of Labor?—A. I cannot say that they are Knights of Labor.

Q. You heard, then, some flying reports that the organization of this Law and Order League was to intimidate the Knights of Labor and drive them off and fill their places with other men?—A. I do not know that they were flying reports. They were conversations that I heard frequently.

Q. Have any threats been made to you that if you did not join the Law and Order League your pension would be taken away from you?—A. I think so, sir.

Q. What was said to you on that subject?—A. When the militia were here I said that it was unnecessary, and that I could see no cause for the militia to be here; and

they said if I did not take care that I would get my pension taken from me, and all those old soldiers beside; and it became the general talk through the streets, and there was a talk that the old soldiers should send a committee.

Q. Was such a committee organized?—A. No, sir.

Q. Who were the men that talked to you in that way?—A. One of the head men spoke to me. I think his name is Mr. Demar.

Q. Was he a member of the Law and Order League?—A. I do not know that I can say he was.

Q. Did he threaten you?—A. Yes; he told me that himself; for I know he was very angry over it.

Q. (By Mr. BUCHANAN.) State the name of any other party that threatened you.—A. There were no other parties that threatened me. I have understood that they threatened others. I have heard of hints.

Q. What were the hints, and who made them?—A. Well, Dr. Vanmater.

Q. What did he say to you?—A. He did not say anything to me. No other man hinted to me, except what I have said about Demar.

Q. Any others?—A. Not to me.

Q. (By the CHAIRMAN.) Is Mr. Demar a Knight of Labor?—A. Not that I know of.

Q. (By Mr. OUTHWAITE.) Do you know whether he is or not, or anything about it?—A. I think he has been.

Q. Now, my question is: Do you know whether he is a Knight of Labor or not?—A. He is not a member. He is not a Knight of Labor. He has belonged to it.

Q. When did he quit?—A. He has been quit several months, I guess.

Q. Do you know?—A. I have not been able to know, because I have been sick all winter; but my understanding is that he is not a member.

Q. Are you a Knight of Labor?—A. I am, sir; but that is one of the things that we are not disposed to answer.

Q. (By Mr. OUTHWAITE.) It may be that you cannot tell who is another Knight of Labor; but I have the right to ask you that question and to compel an answer.

WILLIAM P. SHELL sworn and examined.

By Mr. OUTHWAITE:

Question. How long have you lived in the town of Parsons?—Answer. About nine years, sir.

Q. Were you living here recently, when the strike began?—A. Yes, sir.

Q. Were you in the employ of the railroad company?—A. No, sir.

Q. Were you a member of the Knights of Labor at that time?—A. About a year ago I was, and might have been at that time, and may be yet. I have not kept track of my dues, and I do not know whether I am or not.

Q. What can you say as to the cause of the beginning of the strike?—A. Almost nothing, except what I have got out of the public journals.

Q. Do you know of any bad feeling existing between the Law and Order League and the Knights of Labor as an organization?—A. Well, I have seen such manifestations; but could not give any particulars without some suggestions or questions.

Q. It would be impossible for me to give you any suggestions, as I am entirely ignorant of anything you may know about it.—A. I did not know what questions were expected to be answered by me, and am at a loss as to how to come right down to the facts in this matter.

Q. Can you tell us anything about the effect of the strike, as to the commercial business of the town?—A. The business has certainly been damaged since the strike, commenced and during the strike.

Q. There has been a high state of feeling here?—A. Yes, sir; there has, undoubtedly.

Q. I am requested to ask you if you were a member of the jury that sat on a case where a citizen was prosecuted for an alleged assault recently?—A. It was one day last week; I was one of the jury in the case that you speak of.

Q. Were the jury divided equally when it was discharged?—A. The first vote was 8 to 4 in favor of conviction, and it was admitted by the opposition that by the man's own evidence he should be convicted; but it was said that it would be a dangerous precedent to establish in the place here, to say that a man going home, who had been seeking work, should not be protected, and have the work.

Q. That was said in the discussion?—A. That was said in the talk before the jury.

Q. In the jury-room?—A. Yes, sir.

Q. (By the CHAIRMAN.) You say "opposition." Do you mean the four jurymen who held out, admitted that he should be convicted?—A. Three of them did, and that he should, according to his own evidence.

Q. (By Mr. PARKER.) Is it certain that they believed his evidence?—A. I am not able to answer that question.

Q. I asked you if you had knowledge that the three jurors believed his evidence?—A. I do not think that I had such knowledge.

Q. (By the CHAIRMAN.) You stated a few moments since that it was said in the jury-room that he should be convicted upon his own statement?—A. I so understood.

Q. (By Mr. OUTHWAITE.) I am requested to ask whether there was any testimony in the case that the Law and Order men had given orders to shoot any one who would call out "scab" to any of the new employes of the railroad?—A. Such evidence given in the witness stand? No; I did not hear of any. This was only talked before the jury. One of the jurors said that that was his order, as a guard, when he went out to guard—to shoot any man that called laborers in the shops a "scab."

Q. (By the CHAIRMAN.) His orders from whom, sir?—A. I do not know that he spoke of any officer particularly. But he said that was their orders—to shoot any one that called another a "scab."

Q. (By Mr. PARKER.) Do you believe, sir, that any citizen of this town would have shot another citizen for calling another that name?—A. I cannot believe this man that made this statement before the jury. I cannot believe that he is that kind of a citizen.

Q. (By Mr. BUCHANAN.) You do not wish the committee to understand that that kind of citizens are very plentiful?—A. I do not want to give such an impression.

Q. Have you any official position in the city?—A. No, sir.

Q. What is your occupation?—A. On account of physical disability, I have retired from business, sir.

WILLIAM SULLIVAN sworn and examined.

By Mr. BUCHANAN:

Question. How long have you resided here?—Answer. About six years.

Q. What is your business?—A. I am a druggist.

Q. Are you a member of the Board of Trade?—A. Yes, sir.

Q. Do you know any action taken by the board in reference to the Knights of Labor?—A. Well, the last action taken was in a meeting in Mr. Kimball's office, and was in reference to sending an article to Mr. Hoxie, showing the sympathy and good feeling of the board of trade to him and the company.

Q. Do you know of any other action?—A. Any ultimate action? No, sir.

Q. Are you a member of the Law and Order League?—A. No, sir.

Q. Do you know anything of their meetings?—A. I was present at one of their meetings.

Q. Do you know anything on the part of the board of trade or the Law and Order League of Parsons, taking any action looking towards the thwarting of the efforts and purposes of the Knights of Labor as an organization?—A. Well, there was no action taken, but the subject was discussed both in the board of trade and in the meeting of the Law and Order League, at the first meeting they had, in reference to what action they would take in subduing the Knights of Labor in regard to interference with trade.

Q. In either one of these bodies, so far as you have knowledge, was there anything said or done looking toward interference with these railroad troubles outside of assisting in suppressing violations of the law as regards the security of persons or property?—A. Well, in regard to security of persons, some members were somewhat singular and rabid in their expressions in regard to arming themselves extensively and meeting them in battle array.

Q. A battle array which has not yet been formed?—A. It was not made, and the clearer heads had power over the others; and perhaps gave them to understand that their person was dearer to them than a real fight.

Q. The feeling among the citizens has been very intense?—A. I believe about one-third were about ready for a war.

Q. But wiser counsels prevailed?—A. Wiser counsels prevailed to the extent of inducing them to take care of their bodies.

Q. Is that all you know in reference to these troubles that would throw any light on their cause, extent, and possible remedy?—A. I believe it is, sir.

Q. This question is handed me to be asked: Was it agreed that Mr. Mathewson, the banker, should not go on the bonds of strikers?—A. I was not present, and never heard him make any such statement.

Q. You have no knowledge as to that?—A. No, sir.

JOHN WOOD sworn and examined.

By the CHAIRMAN:

Question. Were you a Knight of Labor at the time the Law and Order League was organized?—Answer. Yes, sir.

Q. Did you go to any of their meetings?—A. No, sir.

Q. Did you attempt to attend any of the meetings?—A. No, sir; I came to the hall on other business.

Q. What happened at the hall, if anything?—A. I came up here to see another gentleman and called him out. There were two of us together, three of us, and while we waited outside he came out and we had a consultation with him. He went back into the hall, and we waited and expected him to come out and give us an answer to our inquiries. He said he had to consult with the League before he could do anything in regard to what we were asking him to do, and we waited out there a few minutes. A man came out and pulled a pistol half way out of his pocket and told us to get out.

Q. And you left?—A. No, sir; we did not leave. We had business with a gentleman that was urgent, and we did not leave.

Q. What was your business?—A. It was in regard to some bonds for men who had been arrested.

Q. Who was the man you wanted to see?—A. Mr. Mathewson.

Q. Did you see him any more?—A. Yes, sir; he came out and said he could not sign any bonds. They would not allow him.

Q. Who would not allow him?—A. The League.

Q. Were you three a committee of Knights of Labor?—A. Yes, sir.

Q. Were you appointed by the assembly to come and see him for that purpose?—A. Yes, sir.

Q. Some of the members had been arrested for alleged violations of the law, had they not?—A. Yes, sir.

Q. And your object was to induce him to go on their bonds?—A. Yes, sir.

Q. And he said he would have to see the members of the Law and Order League?—A. Yes, sir.

Q. He came out subsequently and told you the members would not permit him to go on the bonds?—A. Yes, sir.

Q. Previous to that another man came out and half drew a pistol and ordered you off?—A. Yes, sir.

By Mr. PARKER:

Q. Was this during the day or in the evening?—A. It was in the evening.

Q. About how late?—A. About 9 or 10 o'clock.

Q. You were in the hallway?—A. Yes, sir; just outside.

Q. And the meeting of the Law and Order League was held in the same building?—A. In here, sir.

Q. And you were in the hallway outside?—A. Yes, sir.

Q. Was it lighted?—A. There was a light.

Q. And this man came out and saw you there. Did you tell him your business?—

A. He did not give us time to give any explanation.

Q. You did not go away and he did not take out his pistol?—A. No more than half way.

Q. And made no effort to hurt you?—A. No, sir.

By Mr. BUCHANAN:

Q. Who was it?—A. His name is Rye. I cannot give his initials.

Q. You do not justify assaults on persons, do you?—A. No, sir.

Q. Do you justify the destruction of property?—A. No, sir.

JAMES TISDALE sworn and examined.

By Mr. PARKER:

Question. You are a resident here and have been for how many years?—Answer. Since the 30th of October last.

Q. What is your business here?—A. I am selling goods.

Q. What knowledge have you as to the feeling towards the strikers here in general by the citizens and business men and members of the Law and Order League?—A. I think it is very bitter.

Q. When did it originate?—A. Since the strike.

Q. Have you any information of any boycott on the part of the Law and Order League, or anything that amounts to that, on the Knights of Labor or their friends?—

A. I do not know what you call a boycott.

Q. Have you information of any influences being thrown against you or any other man by the Law and Order League because you were friendly to the strike?—A. I suppose that there has been a good deal of influence used against me because I carried customers that I had when the strike commenced.

Q. And you continued that custom afterwards?—A. I continued it simply to carry those parties, and they afterwards paid me from the day that the strike commenced to the present day.

Q. What injury have you received and what facts can you state indicating that you have been injured or boycotted by the citizens or the Law and Order League on account of that?—A. I have been refused goods from a house I bought of in Kansas City, which wrote me that it understood that I was giving credit indiscriminately to certain parties.

Q. When was that?—A. From as soon as the strike commenced. I have a letter that I received this morning. I may state that I have not given them any cause at all for such a statement, and that I gave no credit except to those who were trading with me before the strike commenced.

Q. And you understand that on account of your action in that respect your credit in Kansas City has been injured?—A. I do, sir.

Q. What knowledge have you that it was done by information sent from this town from members of the Law and Order League?—A. I have been so informed by commercial travelers.

Q. Was it done because it was thought it was unsafe to invest further in trade just now, or because they were asked to do it?—A. They said they were told that I was giving aid and giving credit to any man that was on the strike.

Q. Do you know any fact that indicates that any man here in Parsons has sought to injure your credit because you disagreed with them as to your opinions of the strike and the strikers?—A. I have been told so.

Q. Do you know any fact that would indicate that?—A. Men have come into the store and said that if I did not go into the cash system, and if I sold goods to anybody, especially to these strikers, I would lose my trade.

Q. Who were those men?—A. Mr. Hecker. He told me that. And he came and told my partner.

Q. He told you what somebody else told him. Had you any knowledge of that yourself?—A. Nothing but what he told me. I have received that letter. I sent an order for sugar, and they wrote me they did not sell sugar alone, and they refused to fill my order on that ground. [Witness here handed a letter to Mr. Parker.]

MR. PARKER. You have handed me a letter as bearing out your statement. It does not bear out your statement, but flatly contradicts it.

THE WITNESS. It refers to this. It says that they understood that I was giving credit largely and not wisely, and to my having given a chattel mortgage.

Q. Is there anything in that letter to indicate that any citizen has sought to injure your credit?—A. They say that it has been reported to them, and that I had made a chattel mortgage.

Q. I will ask you this: Is that substantially your evidence upon this point?—A. It is.

The chairman read the following letter:

KANSAS CITY, MO., April 30, 1886.

MESSRS. TISDALE & HANLEY,
Parsons, Kans. :

GENTLEMEN—We have your order of the 28th, and we regret that in the light of our present information as to the condition of your affairs it seems to us unwise to ship, except for cash. It has been recently stated to us that you have given a chattel mortgage on your stock, that you are giving credit largely (and in some cases not with due caution), and that these things indicate the desirability of our informing ourselves as to your exact condition before we ship. We shall hold the order, therefore, until we hear from you, and we trust that we may receive from you such satisfactory evidence of your sound mercantile standing as will warrant us in filling the order promptly.

Yours, respectfully,

CORLE CRACKER & CONF'Y CO.,
LEWIS.

Q. (By Mr. BUCHANAN.) Was that the first order you had given that firm?—A. No, sir; I had been dealing with them ever since I had been in business.

Q. This credit that you say you have given was to parties who had dealt with you before the strike and paid you cash?—A. I have never taken on a man who did not deal with us before the strike.

Q. What is the reason that you have given them credit since?—A. Simply because it is a principle of my life that if a man commenced dealing with me, and paid me promptly, I would give him credit when he needed it.

Q. Did you keep them on credit because they had no cash to pay?—A. I gave them credit simply because they had been customers, and had paid at the end of thirty days.

Q. Did you give them credit because, having no employment, they could not pay cash?—A. I carried them on the principle that they had paid me before, and there-

fore carried them as if there had been no strike. They were supposed to pay every thirty days, but all citizens do not pay up every thirty days.

Q. So you kept on just the same?—A. I kept on just the same.

Q. (By Mr. PARKER.) Do you know Mr. Lee Bristol? Is he in your store?—A. Yes, sir.

Q. Did you say, in your store, that you would rather see the town in ashes than see the strikers fail?—A. I did not say so in so many words.

Q. Did you say so in effect?—A. Mr. Bristol was asking me what I thought about the strike, about the time they were killing the engines, and I made the remark to him that there had been a struggle going on ever since the beginning of time between the workingmen and capital, and I told him that I was in favor of labor, and that Parsons might be burned up; that did not amount to anything; if a settlement was obtained between capital and labor it would be all right; that I would be glad to see everything I had in the world go up if it brought about a settlement between capital and labor; and he said he would not give a dollar.

Q. (By the CHAIRMAN.) I understand you to mean, and if I am not correct you will put me right, that these strikers had been customers of yours and had paid you promptly, and as they were out of employment you did not refuse them supplies, but you still trusted them, expecting that they would pay you when the relations between them and their former employers had been resumed?—A. I trusted them the same as ever—every man who had been dealing with me.

Q. (By Mr. BUCHANAN.) You have stated that your orders were declined, and you have stated the reason to be that your credit had been injured by parties here. What is the fact as to your store having been closed by legal process within the last twelve months?—A. It never was closed at all. I bought the stock of goods from Mr. Holders, and he agreed to give me all the time I wished to pay up the balance. I was to pay him \$5,000 down, and give him a mortgage for the balance. He got broke up about something one day, and told me he was going to shut up the store in the morning. I told him I could get money from friends in the country if I had time to get to them. Morning came, and he brought in his lawyer and had the mortgage signed over. He then demanded the key, and I gave it to Mr. Simon. I got my friends in, and all the money was paid.

Q. (By Mr. OUTHWAITE.) Do you know whether the firm that wrote you this letter are related to any stockholders or officers in the First National Bank in this city?—A. I understand that they are. Mr. Hewitt told me they had brothers-in-law in the First National Bank.

Q. (By the CHAIRMAN.) Have the orders that you have been filling for the strikers been carried by the executive board of the Knights of Labor?—A. They have every one, and are still.

Q. Do you get your pay from them?—A. We do. We have been paid regularly.

Q. Then you have not been carrying these men?—A. We have not been carrying anybody. They came to us and said, "Will you accept orders of 3703?" and I said I would.

SOLOMON C. HINCKLEY sworn and examined.

By the CHAIRMAN:

Question. How long have you lived in the city of Parsons?—Answer. A little over two years.

Q. What is your occupation?—A. I am not doing anything now; I have been a clerk, and was until the strike.

Q. Are you a member of the Knights of Labor?—A. I am, and was at the time of this strike.

Q. Did you go out at the time of the strike?—A. No, sir.

Q. How did you get out of employment?—A. I was instructed by the agent that I would not be required until this strike was over.

Q. What reason did he assign?—A. None; but that he had orders from headquarters that the business would not justify it, and that they had to curtail expenses.

Q. Was there any one put in your place?—A. When they resumed.

Q. Did you apply for your place?—A. They did not give me time.

Q. Why?—A. Mr. Moss, on resuming business, said that he would not be allowed but two clerks, and I asked Mr. Moss if I was finally discharged; he gave me but little consolation. I then went to Mr. Golden and asked him if he did not think when business picked up there would be a chance for me to come back, and he said it would be with Mr. Moss to say. After they had got other men Mr. Moss said he had orders for me not to go to work; but I saw Mr. Golden again, and he said he had nothing to do with it.

Q. Was any reason assigned by Mr. Moss for not taking you on?—A. There was none given by him further than what I have stated.

Q. Did you know anything about the condition of the traffic business of the Mis-

sonri Pacific Railroad?—A. Well, I have given it pretty much study, and I was pretty fully acquainted with it before the strike.

Q. Is there as much business done on that road now as there was before the strike?—A. I do not think there is, from what I can see from the outside. I have made an estimate that there is not.

Q. What have been your opportunities for observation?—A. By living close at the track and watching the trains as they pass, and also from conversations with some of the contractors in regard to how heavy the trains are, and what they are composed of.

Q. What comparison is there between the business done at this time and the business prior to the strike?—A. Business generally is not more than half. They have not done near as much, and a good deal of stock that would naturally have gone over the road has not gone over it.

Q. Has business been resumed on the Missouri Pacific? Are trains running regularly?—A. They are running.

Q. Without obstruction?—A. So far as I know they are. After they first opened business here, business began to pick up a little. I watched it pretty closely for the first ten days. The first day or two they started out pretty heavy, doing as much as they did prior to the strike.

Q. I have here a memorandum addressed to Martin Irons, which states that they had about $7\frac{1}{2}$ miles of track in yards which required two yard crews, consisting of yard-master, engineer, and firemen, and each engine of two laborers, making in all for each twenty-four hours, two yard-masters, four engineers and firemen, and eight switchmen.—A. They have the same body at work yet.

Q. And that the regular number of freight trains was eight east and eight south on the main line of the Kansas and Topeka, and the same number to arrive. One train to leave by the Neosho, and one to arrive. The railroad company have power to remove all cars at this place except bad order ones; that but few of them are loaded. They are transferring them. And then it says: The following is a complete list of the trains since the militia came. Then you give the recapitulation as a total. Explain that recapitulation.—A. The recapitulation shows 105 trains departing, composed of 1,517 cars, 299 of which were empties. Arriving, there were 90 trains, composed of 1,265 cars, 211 of which were empty, making a grand total of 195 trains, 2,782 cars loaded, and 610 not loaded.

Q. You have an explanation here in which you use the statement that you "discover in this recapitulation the secret of Mr. Hoxie in his report to Mr. Gould as to how he arrives at such enormous figures. For example: A train starting from Hannibal with twenty other loads for Texas would be reported 'one train out of Hannibal, in and out at Sedalia, in and out at Parsons, and in and out at Muskogee, and into Denison;' making one train show as four trains." You wrote that to Mr. Irons?—A. Yes, sir.

Q. Did you mean what you wrote?—A. Certainly; that is what I wrote there. They wanted a comparative statement here, and I had been watching it as near as I could, and I so made the report.

Q. I see you signed this under seal?—A. I was appointed as a committee.

Q. You signed it as "chairman of this committee for this report?"—A. I do not say that that is exact, but it is as near as I could give and as near as possible. I did sign it as chairman.

Q. How do you know that Mr. Hoxie reported the trains in the way that you speak?—A. By the papers. I looked into the matter, and that was the only way that I could understand his figures. I noticed in Mr. Golden's office that they would assume a greater proportion than what trains were capable of hauling.

Q. Do you mean that his object was to show that the road was doing a big business?—A. That was the object; to show the exact amount of business that it does.

Q. Was not that right?—A. Certainly; their freight that was being handled was reported at two places, Sedalia and Parsons, but I did not make that report with the expectation of its going to Congress.

THE CHAIRMAN. It is handed to us by a representative of the Knights of Labor.

THE WITNESS. It was not quite so explicit as it might have been.

Q. (By Mr. BUCHANAN.) A train starting from Hannibal with any number of loads for Texas would be regarded as a train out of Hannibal, and in and out at Sedalia, in and out at Parsons, &c. Now, do you intimate that Mr. Hoxie's reports were made up by calling these different trains?—A. The reports were received from each division of cars received and cars sent out.

Q. Upon what do you base your judgment that they were so reported?—A. Simply from the fact that they were handled.

Q. A train goes into Sedalia and it is reported, and when the same train leaves Sedalia, that train is also reported; the train for the same destination all the way through?—A. The locomotive and crews are changed.

Q. Then each of those places that you have named are terminals of divisions?—A. Yes, sir.

Q. But the trains reported are all the same cars?—A. Yes, sir; they are the same cars. They may be reported on the Hannibal division to-morrow, and perhaps on the next division the next day.

Q. Did you say that you left the employment of the company voluntarily; or that you were discharged?—A. I was told that my services would not be required until after the strike was over, about four or five days after the strike was commenced.

Q. When the strike occurred you did not leave?—A. No, sir.

JOHN B. BRANNON sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Parsons.

Q. Where did you live in March?—A. In Parsons.

Q. How long have you lived here?—A. Six years the 14th of last January.

Q. What business have you been engaged in?—A. I have been a molder, working in the Missouri Pacific foundry.

Q. For the last six years?—A. Yes, sir.

Q. Are you working for any company now?—A. I am working for Daly & Co., of Palestine, Tex.

Q. Where were you working in March?—A. I was working here in Parsons, in the Missouri Pacific foundry.

Q. What is the reason that you are not working for them any longer; did you go out on the strike?—A. No, sir.

Q. How did you come to leave?—A. I have not left them; I am still in the employ of Daly & Co.

Q. I understood you to say that you were working in March in the Missouri Pacific foundry?—A. But it is now in the hands of Daly & Son.

Q. Then you did not go out on the strike at all?—A. No, sir.

Q. Are you a Knight of Labor?—A. Yes, sir.

Q. Do you know anything about any agreement entered into between the officers of the company and the employees in March, 1885?—A. Yes, sir.

Q. Was it agreed at that time that all work belonging to each road in the system should be done on that particular road and not to be taken to the shops of any of the other roads?—A. Yes, sir.

Q. Has the Missouri Pacific Railroad Company violated this agreement in any way; if so, how?—A. They have, by taking the work from the Missouri Pacific foundry to the Missouri car works, in the city of Saint Louis, consequently cutting down the hours of labor in the foundry and putting the men on short time, which was a violation of the agreement on their part, entered into by the two governors and the commissioners of the States of Missouri and Kansas.

Q. Have the men ever complained of this, and if so, to whom?—A. They have complained to Mr. Hoxie.

Q. In what way was the complaint made to Mr. Hoxie?—A. By the executive board of the southwestern system of Knights of Labor. I was a member of the board at that time, and was called, on or about the 8th of August, to the city of Denison, Tex. We had a meeting there from all points on the Southwestern, the Gould Southwestern System. Each road was represented there by a delegate, and each delegate that had any grievances brought them before the executive board of the Southwestern System that was in convention at that time in Denison. One of the grievances was that the September rates of wages had never been restored at Big Springs, Tex. That was a violation of the agreement, and that was one of the grievances. And there was a demand to be made for a dollar and a half a day for all skilled labor on the line. Among the grievances they had was the grievance of the Missouri Pacific foundry here at this point.

Q. Did you go to see Mr. Hoxie in reference to that?—A. Yes, sir.

Q. Who went?—A. I went as one of them. There were five of us.

Q. Did you see Mr. Hoxie?—A. No, sir, I did not. It was about the 14th of August when we got there.

Q. Why did you not see Mr. Hoxie?—A. Because we found after we had got there that he had skinned out.

Q. How do you know that he knew you were coming?—A. Because while we were in Denison we sent on for transportation to Mr. Hoxie, at Saint Louis, and he knew of our coming, and knew that we had these grievances, and were requesting him to stay there until we got there. At the time we had got there he had left.

Q. How did he know that you had these grievances?—A. He knew there was trouble, because the executive board sent for transportation so as to go there and present these grievances.

Q. Did they ever notify him that they had grievances?—A. They notified him by letter. I am not positive that the chairman notified him, but I know he was instructed to do so.

Q. You cannot say whether it was written or not written in time to reach Mr. Hoxie?—A. Yes, sir; it was a telegram that the chairman was to send.

Q. Did he say he sent the telegram?—A. Yes, sir.

Q. Who was he?—A. R. W. Drew.

Q. Where is he?—A. At Sedalia.

Q. Did you leave the grievances with anybody when you went to Saint Louis?—A. We left them with Mr. Hoxie's chief clerk, Mr. O'Hara.

Q. What passed between you and him about those grievances?—A. We told him he was to present them to Mr. Hoxie. He said that he would not be back for ten or eleven days, and that he had gone to New York.

Q. What action was taken afterwards, if any, by any member of your organization?—A. We left all the grievances in the hands of the executive committeeman, H. M. Palmer, and instructed him to see that there was something done with them when Mr. Hoxie got back from New York. After Mr. Hoxie got back from New York Mr. Palmer went to see him. Mr. Hoxie was in his privateroom at the time, and he had given instructions to the parties in the office that he would not see anybody. So Mr. Palmer went away and came back next day, and could not get to see him, and then he went the next day, and so on and on. The conclusion we arrived at was that he did not want to see our committeeman.

Q. Were the grievances ever redressed?—A. No, sir. They still remain there, if they have not been thrown into the waste-basket.

Q. Were the things you complained of corrected by the company?—A. No, sir.

Q. Do they still exist?—A. They still exist. That is, with the exception of the Big Springs. I think that these men got that grievance settled; but they had to go out on a strike to do it.

Q. Is the foundry at Parsons in the same hands now that it was then?—A. No, sir.

Q. Whose hands was it in?—A. In the hands of Daly & Son, of Palestine, Tex.

Q. Did the grievances that you had complained of still exist after the foundry had changed hands?—A. Yes, sir.

Q. I understood you to say that these grievances existed after you left Saint Louis and up to the time that the foundry changed hands?—A. It still existed. It never was corrected.

Q. Give the names of the committee who visited Mr. Hoxie?—A. They were R. W. Drew, of Sedalia; M. H. Palmer, of Saint Louis; J. B. Brannon—that is myself—of Parsons; C. A. Hall, of Marshall, and M. Mahaney, of Denison.

Q. Is the man Hall named by you the same Hall there has been so much talk about?—A. Yes, sir.

Q. Now, what was the cause of this strike?—A. The cause of the strike, as far as I could learn, is the repeated violation of the contract entered into by the two governors and the commissioners of the two States of Kansas and Missouri. Taking work away from the Missouri Pacific foundry when they pledged themselves that the work should be done on these respective divisions. The Missouri Pacific foundry being the only foundry they had on the system at the time, the work should have been done there. It looked like they wished to discriminate against the men implicated in the strike of a year ago, and they had the men cut down three days a week. The laboring men were cut down. They could not work if the molders did not work, and consequently these men had to live on \$3.75 a week, as they got \$1.25 a day. The cause of the strike was the grievances we presented in Saint Louis right after this strike, I think about August 14; and the cause of the strike was the violation of the agreement.

Q. You say the grievance was never redressed up to the time the foundry changed hands?—A. It never was redressed.

Q. When did the foundry change hands?—A. I think it changed hands in February of this year.

Q. Then the grievances no longer existed after the foundry changed hands, did they?—A. Certainly, but they would not recognize it as a grievance.

Q. Then how was it this strike was not ordered till the 6th of March, when that was one real, if not the only real, grievance?—A. We still hold that as a grievance. The committee was not recognized, and they still hold it as a grievance that should be redressed.

Q. Was there any other reason but this for the strike?—A. There was the demand for \$1.25 for unskilled labor and for the reinstatement of brother Hall by the Texas and Pacific road at Marshall, Tex.

Q. Was not Mr. Hall in the employment of the Texas and Pacific?—A. Yes, sir.

Q. Was not that in the hands of a receiver?—A. I understood it was in the hands of a receiver, but still it was a part of District No. 101.

Q. You, of course, do not understand the difference between the management of a road by a private corporation and its management by a United States court. I suppose you presumed that the Texas and Pacific road was still a part of the same system and running in the same way as before it was put in the hands of the receivers,

and because Hall was discharged by the Texas and Pacific and not reinstated this entire strike took place. Is that correct?—A. The strike did not take effect on account of Hall alone. That was only part. The officials of the road would not recognize the executive board of the Knights of Labor. They did not recognize our committee at all; and there was a demand for \$1.50 a day for all unskilled labor. All that went to make up the cause of the strike. It was not on account of Hall alone, but there have been violations of the agreement right along, twenty days after the agreement had been made.

Q. Why did you not strike then?—A. They were not ready to strike.

Q. Why did they not strike a month later or two months later?—A. They were not ready.

Q. What do you mean by that?—A. They were not thoroughly organized, and they thought they could not get these grievances redressed without going on a strike. They had other grievances here and there, and they would go to the officials of the different departments and try to have them settled without having any trouble and without having a strike on the system. And they tried everything in their power to have a settlement, but it seemed like they intended this strike, and that it had to come some time.

Q. Who wanted it?—A. The railroad company wanted it.

Q. Do you know anything about the agreement made in May, 1885, between Mr. Hoxie and the Knights of Labor, in which Mr. Hoxie, as manager of the Missouri Pacific Railway Company, agreed to reduce the hours of labor instead of reducing the number of men in the various branches of work?—A. Yes, sir.

Q. State what you know about that.—A. I will state that there was an order came here to reduce the force in the foundry 33½ per cent., and we thought it was to get rid of the men that took part in the strike a year ago; so we turned round and agreed among ourselves that the number should not be reduced, but that they should reduce the hours. We made that plan, and told them that we would rather reduce the hours and keep the same men on, and they agreed to that, and cut us down to three days a week rather than that the men should be reduced.

Q. Did the company agree to that?—A. Yes, sir. We went on that way for about eight months. Finally the work accumulated a little and we wanted them to put us on more time. Well, they did not want to do it. Then we took and sent our committees to Saint Louis, who found that the work was being done in the Missouri Car Works, in the city of Saint Louis. Consequently, it seemed to the men that the company was trying to get rid of them—to freeze them out. They wanted to get rid of them, so they let out the foundry to Daly & Son. The company agreed to our proposition to reduce the hours, and so we reduced the hours and kept the force on.

Q. Do you know of any other violation besides the one you have just stated?—A. Whenever a man got hurt in the foundry or any other department they would never hire anybody. Consequently, that made one man do two men's work. We had it in our department in the foundry when it was part of the company's works. Three or four laborers quit, and these men had to do their work and they were forced to make a grievance committee of it and go to the master mechanic and have it redressed.

Q. Was it redressed?—A. It was after the molders went out on strike to get this grievance redressed.

Q. Do you know of any other violations of the agreement?—A. That is the only violation I can think of at the present time.

Q. (By Mr. PARKER.) Where were you born?—A. I was born in Oswego, in the State of New York.

Q. How long have you been at work for this road?—A. Six years last January.

Q. Did you learn your trade in Oswego?—A. No, sir, I learned it in Cincinnati, Ohio.

Q. After you called at Mr. Hoxie's office, in August, did you press for a hearing upon those grievances any further after you returned?—A. We left them in the hands of Mr. Palmer.

Q. Did he do as you have stated? I wish to understand whether that is all that was done towards getting Mr. Hoxie to act upon these grievances.—A. That is all I know of. I wrote brother Palmer myself, in Saint Louis, and asked him if he had seen Mr. Hoxie yet, and told him to push those grievances red-hot, because the men were in a very bad position here at the time, making only three days a week.

Q. At how late a date was this letter written to Palmer?—A. I guess it was three or four weeks after we had been to Saint Louis.

Q. Some time in September, probably?—A. Yes, sir.

Q. At that time how many men were at work in the Missouri Pacific foundry?—A. About sixty, I believe.

Q. Were they all working reduced time, as you have stated?—A. Yes, sir.

Q. Did the men remaining after the factory changed hands continue on reduced time, or did the new contractor furnish work enough to keep them busy?—A. Not at the start. They had some trouble about some patterns.

Q. Did the rule as to time change when the new contractors came into possession?—A. Yes, the time changed.

Q. Were you paid full time after that?—A. Yes, sir; we got more time.

Q. Did it reach pretty near full time?—A. Yes, sir; it was pretty near full time.

Q. Immediately?—A. Not immediately.

Q. When the strike was ordered, you were all on full time?—A. Yes, sir; we got about full time.

Q. Then that grievance was done away with, by your having all the work you had a right to expect at that time?—A. These men in the foundry had thought no more of it after the foundry changed hands. They thought they could not do anything with it, and so they let it drop.

Q. So that grievance did not exist at the time the strike was ordered?—A. It still existed in Mr. Hoxie's office. It was never redressed.

Q. Then the grievance about having short time did not exist at the time the men struck?—A. No, it did not exist.

Q. As to this man Hall. You did not understand, then, that there was any cause in the discharge of that man Hall, down there in Texas, as a cause or excuse for you throwing the business of all this system into confusion, together with the business of the farmers, tradesmen, and labor, and everybody connected with production or employment? Did you consider that Hall's discharge was sufficient to justify that?—A. Well, I did not get the clear facts of the case at that time why Hall was discharged, but I did get them afterwards. I found out that Hall had been discharged for attending a meeting of District Assembly 101, when it was in session at Marshall, Tex. Afterwards it was claimed that he was discharged also for not being competent.

Q. You do not know really which he was discharged for?—A. I believe he was discharged because he was a Knight of Labor.

Q. You do not know that?—A. I believe it myself.

Q. You have no evidence of that?—A. I have no evidence, but I think that was the reason. I think so, because he was discharged immediately after the district assembly had adjourned, and after he went back to work.

Q. If he was removed for some other cause, you would not justify the strike on account of his removal?—A. No; not if it was justified.

Q. Would you feel that if Hall was removed because he had attended the assembly of the Knights of Labor that would be sufficient cause to justify all the confusion in business in these five States that has followed this strike?—A. Well, not if it could be avoided without a strike, and if they would arbitrate and try to redress the grievances. But they never made any attempt, and it was no more than right that the Order should stand right by their brother that was discharged for attending a meeting of the Knights of Labor at Marshall, Tex. It showed plain enough to me, or any thinking man that belongs to the Order, that he was discharged for being a Knight of Labor and attending the meeting of District Assembly 101. It was not because the man was not competent. He had worked there for years, and was competent for that length of time; and I think he should be competent after that.

Q. Do you think the removal of a man for attending a meeting of the Knights of Labor sufficient cause for throwing the business of five States into confusion?—A. If we could not get round it any other way.

Q. Do you know of any attempt on the part of the Knights of Labor to arbitrate Hall's case with the Texas and Pacific?—A. I understand they had a meeting of the citizens there to try to redress the wrongs on the part of the company.

Q. Do you know of any demand or request on the part of the Knights of Labor on the Texas and Pacific to put Hall back, or to arbitrate his case?—A. I believe there was a committee.

Q. You have no knowledge of it. Do you think so?—A. I understand there was.

Q. Do you not understand that about the time of that trouble the Texas and Pacific had severed its connection with the Missouri Pacific, and was under another management?—A. I understood by the papers that it was in the hands of a receiver.

Q. Let us go a step beyond that. Do you consider that the Knights of Labor had the right to throw these five States into business confusion because the managers of the Texas and Pacific, under a court, refused to reinstate Hall?—A. I do not think it was done exactly for that—for the discharge of this man Hall. I do not think that it was for that that the strike was ordered.

Q. The Big Spring trouble was settled and adjusted?—A. I understood it was adjusted.

Q. If that was settled and adjusted, and the foundrymen were at work on full time, what else was there at that time presented excepts Hall's case as a grievance before the Knights of Labor?—A. There was the \$1.50 a day for unskilled labor.

Q. Was not that presented to Mr. Hoxie in the paper that was left there by you?—A. Yes, sir.

Q. You state that the recognition of the Knights of Labor was one of the points

involved. Do you say that the recognition of your committee was one of the points involved?—A. Yes, sir.

Q. So that after you came back and failed to see Mr. Hoxie and get an answer from him, that was one of the grievances?—A. That was after we came back. That was on this strike.

Q. After you came back from endeavoring to see Mr. Hoxie, in August, was that considered a grievance, because you could not get an answer from him?—A. No, sir.

Q. Was the fact that the Knights of Labor officially were not received by him with due respect one of the occasions of the strike?—A. That I cannot answer. I do not know anything about it.

Q. Did the fact that Mr. Hoxie failed to meet you when you sent to him, and failed to answer the grievances you left on the paper, induce you to think that the management was not inclined to recognize the Knights of Labor officially, and therefore induce this strike, in part, to compel a recognition of your order as Knights of Labor?—A. No, sir; not altogether.

Q. Was that one of the intentions of the strike?—A. Not altogether.

Q. Was it in part?—A. It was in part. I consider it in part.

Q. Was there any proposition to arbitrate the standing of the Knights of Labor with the management of the road?—A. In this last strike; yes, sir.

Q. When do you refer to?—A. By the committee going to see and try to have an arbitration at Saint Louis.

Q. In last August?—A. No, sir; this March.

Q. Did the committee go to Mr. Hoxie about that time?—A. I do not know whether it was about that time or not; I think it was a little after.

Q. After the strike was made?—A. Yes, sir; they have made an attempt to arbitrate.

Q. Was there any attempt, to your knowledge, to arbitrate anything after the attempt to get action upon the grievances in August and September, and before the strike was ordered?—A. I think there was.

Q. When?—A. I think Martin Irons had gone to see him.

Q. Have you any knowledge about it, or is it simply rumor?—A. It is only what I heard.

Q. (By the CHAIRMAN.) Has the foundry force been reduced since Daly & Son took charge of the foundry?—A. No, sir; there have been several who went away of their own accord.

Q. Did they supply the places of those who had quit?—A. No, sir.

Q. How many quit?—A. I think three or four molders left and several laborers.

Q. Were there practically as many men working in the foundry in February as there were in January?—A. No, sir.

Q. Was the force reduced in February?—A. No, sir; some men had quit in February; about three, I think.

Q. Do you know that in the month of January, under the Missouri Pacific Company, it took twenty regular days to turn out a hundred and eighteen thousand castings, and that in the month of February Daly & Co. turned out one hundred and twenty thousand castings in twelve days, with a smaller force?—A. Well, they have been making more time in February than in January by an increase of the day's work.

Q. My question was this: Do you know that in the month of January it took twenty regular working days to turn out one hundred and eighteen thousand castings, and in the month of February Daly & Co. turned out one hundred and twenty thousand in twelve days by a smaller force?—A. The cause of that is the work has been raised and the men have been doing more work. Where a molder put up nine flasks, or nine boxes, they wanted ten put up in February.

Q. I call your attention to the fact that more was done in twelve days than in twenty days.—A. I do not know whether there has been that much difference, but I know there has been an increase in the work of the men, because the men have to put up ten flasks now instead of nine.

Q. The ultimate result is an increased production, is it not?—A. Well, they do; they turn it out.

Q. Have they increased the hours of labor?—A. Yes, sir; they work ten hours a day, where we were working nine.

Q. Did you work ten hours a day in February?—A. I do not know.

Q. How are you paid, by the day or by the hour?—A. We are paid by the day.

Q. What is considered a day's work in time?—A. Ten hours.

Q. What was considered a day's work under the management of the Missouri Pacific?—A. Ten hours.

Q. I think you said you only worked nine hours?—A. They paid us then by the hour and they cut down the day.

Mr. BUCHANAN. Mr. Powderly has testified before this committee that it was one of the objects of the order to discourage strikers. Is that generally understood among the Knights in this section to be one of the objects of the order?

A. Yes, sir.

Q. And is their desire and their purpose to exhaust every means of reconciliation by arbitration before resorting to a strike?—A. Most undoubtedly it is.

Q. In this case of the discharge of Hall was any investigation made by the strikers here as to the real facts of the case before they went out on the strike?—A. Well, I cannot exactly answer that question. I was not a member of the district, because of the foundry going out of the system.

Q. But you took your information from those who were members?—A. I understand that there was a committee who went there to investigate the matter.

Q. Suppose it had been discovered that Hall had been discharged for incompetence. I understand you to say that in such an event the Knights would not have taken his case up?—A. No; if he was not competent to fill the position.

Q. I understand you further to say that he was discharged because of attendance upon a meeting, and you felt it to be your duty to stand by your brother?—A. Yes, sir.

Q. Suppose you had discovered further by investigation that in fact he had been discharged for that reason, to wit, attending a meeting of the Knights, but that this road was powerless to restore him; would that state of affairs, in your judgment, have justified this strike here?—A. I think not.

Q. (By Mr. PARKER.) What do you consider constitutes a strike?—A. A great many things constitute a strike.

Q. Tell me what they are.—A. The first thing, if there are any grievances existing in a shop where there is an organization—where they have a shop committee—they are always submitted to the shop committee and the grievance committee. They have a committee in our department called a local grievance committee. These grievances are put into their hands and they investigate them, and if they do not see sufficient cause to sustain the grievances, why, they let them drop. They investigate every grievance thoroughly, and if they cannot settle it by going to the officials of the road this local grievance committee then submit it to the general executive board of the district. They take it in their hands and they use all means in their power to settle this matter by arbitration, or by a mutual agreement of some kind with the company and the committee. If they cannot settle it there, why, then it is submitted to all the local assemblies on the Southwestern System to take action on it.

Q. And suppose they do not get it adjusted?—A. Well, then it is left to the local assembly to take action upon it, and to strike or not.

Q. Suppose they decide to strike, what then?—A. They say strike; why, then they strike.

Q. What do they do when they strike?—A. They merely go out.

Q. And quit work?—A. And quit work.

Q. What next?—A. Well, they will send these committees and see if they can arbitrate this, and use every effort in their power to have a settlement.

Q. By breaking up trains before they start?—A. I do not know that.

Q. Was that any part of the strike?—A. No part of the strike that I know of.

Q. What about killing engines?—A. Killing engines? That is something that I do not know anything about.

Q. You have heard to-day that at one time there were in the round-house here seventeen engines that had been killed?—A. I am not aware that seventeen engines that had been killed were in the round-house. I have heard of engines being killed.

Q. Was that part of the strike?—A. I do not know whether it was part of the strike or not.

Q. Will you be kind enough to tell me, in your judgment, was that part of the strike?—A. No, sir; it was not.

Q. Then it was done without any connection with the strike?—A. Yes, sir; the Knights of Labor do not authorize anything of that kind.

Q. Do they oppose it?—A. Yes, sir; they oppose it.

Q. It was done without their consent?—A. Yes, sir.

Q. And done against their wish?—A. Yes, sir.

Q. That is your understanding?—A. That is my understanding.

Q. Done outside of Knights of Labor?—A. I cannot answer you it was done by.

Q. But whoever it was done by, it was without sanction of the Knights of Labor?—

A. Yes; as an organization.

Q. Was it done, as far as you have knowledge, here by members of the Knights of Labor?—A. No, sir.

Q. Then your understanding is the same as Mr. Powderly's, that anything which transgresses the law is against the teachings of the Knights of Labor, and is condemned by them?—A. It is condemned by the Knights of Labor; yes, sir.

Q. As to the treatment of these men who are called "scabs;" is their ill treatment recognized by the Knights of Labor?—A. No, sir.

Q. You say that you consider it your duty to stand by a brother who is removed, as you think, improperly?—A. Yes, sir.

Q. That was acting upon the principle that "the injury of one was the concern of all," was it not?—A. Yes, sir.

Q. Has not the man whom you call "a scab" a right to go to work and earn wages to support his family?—A. Yes, sir, he has a perfect right; and I have a perfect right, also, to use all the moral persuasion I can to have that man quit work, without injuring him, or calling him names. I do not think they can do any good in calling a him a "scab."

Q. Then they should not use physical injury or personal abuse?—A. No, sir.

By Mr. BUCHANAN:

Q. Do you not regard the man who does use physical injury either to the workman or to the machine as in reality one of the worst foes that Knights of Labor can have?—A. Yes, sir.

By Mr. OUTHWAITE:

Q. I see that you have a seal attached to orders and letters, &c., in your order. Do you know whether that seal was attached to any order directing this strike?—A. No, sir.

Q. Did you ever see the order upon which this strike commenced?—A. No, sir, I have not.

Q. Do you know whether any such order was ever issued by any one?—A. I heard so.

Q. But you have never seen it?—A. I never have seen it.

Q. Does your order keep a record of its proceedings?—A. Yes, sir.

Q. Is there any record in any of your assemblies in this whole Southwest that you have seen, showing that your grievances were presented to the railroad officials?—A. Do you mean those late grievances?

Q. Any of them that you complain of now?—A. Yes, sir.

Q. Where will we be able to see that record?—A. I had a letter from Mr. Palmer in regard to the grievances of the foundry.

Q. I mean action that was taken by the order, after it was concluded that the railroad officials would pay no attention to those grievances. I want to know if the Knights of Labor took any action upon that?—A. No, sir; they did not that I know of. We could not get this grievance adjusted about the foundry, and it apparently died out when the foundry changed hands; but the grievance did exist at that time.

Q. You spoke of a grievance that when a man would quit they would not employ another in his place, and one man would have to do the work of two men?—A. Yes, sir.

Q. Had he to do it for the wages of one man or two men?—A. For the wages of one man.

Q. In the foundry?—A. Yes, sir.

Q. He would have to prepare for the casting of twice as many pieces as one man had?—A. Yes, sir. There are generally two men carrying one end of the ladle, and when these men quit the other men would have to do two men's work.

Mr. BUCHANAN. Was that physically possible?—A. Yes, it was physically possible.

Mr. OUTHWAITE. You spoke in one place in your testimony about the fact that there had not been proper recognition of the order or the committee, and gave that as one of the grounds leading up to the strike?—A. Yes, sir.

Q. How did you expect to redress that by means of a strike?—A. That is a grievance. I think that the organization of the Knights of Labor and its committee should be recognized just as much as the Brotherhood of Locomotive Engineers or Firemen.

Q. I wish you to state, if you never saw the order directing this strike, and never saw an order issued from the proper authority, or an authority which directed this strike, how you know what reasons were given by that authority for the strike at the time they directed it?—A. I have not seen it, that is, to read it, but I had seen communications by the officers, and heard it read, but not exactly explain the contents of it.

Q. What communication do you allude to now?—A. That is the communication that came from the executive board asking if they would sustain the executive board of district 101, in demanding the settlement of the grievances—a dollar and fifty cents a day for all skilled labor and the reinstatement of brother Hall at Marshall, Tex., and a recognition of the order.

Q. To whom was that directed which you saw?—A. To Assembly 3703.

Q. Then they ought to have a copy of it in their possession at this day?—A. I do not know. The same order was issued to every local assembly on the Gould Southwest System.

Mr. OUTHWAITE. I would suggest to you that it would be very important evidence if a copy of that could be presented to this committee.

The WITNESS. I am not able to present a copy of that, because I am not a member of that assembly.

By Mr. PARKER:

Q. The result of this strike has shown that there is an excess of labor in the Southwest?—A. Undoubtedly.

Q. What is your idea of the policy of encouraging foreign immigration of working-men into this country or continuing to encourage it while there is developed such an excess of labor over the demand?—A. I do not understand you.

Q. As a laborer do you consider it to the interest of the country to have foreign laborers encouraged to continue to come here?—A. No, sir; I do not.

Q. You may state, if you wish, whether that is one of the opinions of the Knights of Labor?—A. They are bitterly opposed to all labor coming over here in a strike.

Q. They are opposed also to pauper labor?—A. Yes, sir.

Q. Are they not opposed to bringing other labor and encouraging laborers to come here, not pauper nor contract labor, but laborers who will become competitors with the laborers now here?—A. They do not discourage it.

Q. Is there no objection on the part of the Knights of Labor to the continuance of the surplus and this increase of labor over the demand for labor?—A. Well, they do not know exactly how to get round that. I do not see how they can, only by sending a petition to Congress to stop immigration for some years to come.

Q. Is it your opinion and that of the Knights of Labor that immigration should be discouraged?—A. I think it ought to be for a while; that is, especially Chinamen.

Q. What would you say as to the encouragement of Irishmen and Germans?—A. This country is free to all as long as they come over in the right way. So long as they do not come over under contractors they are welcome. This is America, the land of the free, they claim.

Q. You see no objection to an increased supply of labor over the demand by the continuation of emigration from other countries?—A. I do not know that we can object to them.

Q. How does it happen that the flag of the Knights of Labor is put above the flag of the United States over your lodge?—A. I guess there must be something wrong with the man that put that up.

Q. There is no purpose in it?—A. Not a bit of it.

Q. (By the CHAIRMAN.) In case of a peaceable strike, where there is no interference with the roads or with those who are willing to accept employment on the road, is not the inevitable result to force the strikers away from their own homes?—A. Yes, sir.

Q. (By Mr. BUCHANAN.) You do not object to legitimate immigration?—A. I do not, sir.

Q. But you do object to those who are imported here under contract?—A. I do.

Q. And you also object to the Chinese?—A. I do.

Q. They do not "homogeneate" with our people. Is that the reason?—A. Yes, sir.

Q. (By the CHAIRMAN.) You state that the inevitable result of a peaceable strike will be to force men away from their homes and supply their places with other men from other parts of the country. If so, ought not peaceable strikes to be condemned by the constitution and by laws of your organization?—A. Peaceable strikes?

Q. You say the Knights of Labor are only in favor of peaceable strikes, and that the consequence of a peaceable strike is that the men have to leave their homes, their places being filled by other men. Such being the case, ought not peaceable strikes even to be opposed by your order?—A. They do oppose them. They oppose strikes at all times.

Q. There being a surplus of labor, how do you expect to accomplish the result you desire?—A. By the demand of eight hours as a day's work.

Q. Would you do it through strikes?—A. I would have a strike for eight hours.

Q. But if you struck for that purpose with the present excess of labor your places would be filled. How would you interfere with that?—A. I would interfere just so far as we could with moral evasion.

Q. But suppose that does not amount to anything?—A. Well, then, we would have to let them alone.

Q. Then what becomes of those who have struck for eight hours?—A. Well, we simply get beaten.

Q. You would have to go elsewhere and get employment, would you not?—A. Yes, sir.

Q. The result would be that you would break up your homes and go hunting work. You would leave a certainty for an uncertainty?—A. That would be the result.

Q. (By Mr. BUCHANAN.) Does labor, in point of fact, find difficulties in getting its grievances redressed, as a general thing?—A. Yes.

Q. What was the effect upon that committee that visited Saint Louis of not being received by Mr. Hoxie when they reached there?—A. Which committee do you allude to?

Q. The committee that visited him. Did they return with increased or decreased interest in the welfare of the employer?—A. Decreased.

Q. Did you make a careful inquiry to find out whether his business was of the character you indicated or whether it was necessary that he should be absent?—A. That

was the supposition on the part of the board at that time, and it was the supposition, on my part, that he had purposely avoided us.

Q. Are you certain that your supposition is correct?—A. That is my supposition.

Q. Now, we have discussed with you—and you seem to be a very intelligent witness—these subjects, the causes, and some of the remedies, and so forth, of the strikes. There is undoubtedly a great unrest with the labor of the United States to-day. Have you discussed with your fellow-workmen, with whom you associate in the shops, and also in the council chamber, remedies for the state of affairs that exist in the country other than the eight hours of which you spoke?—A. Yes, sir.

Q. Have you discussed any remedy which you think Congress might be able by legislation to enact, and if so, what remedies do you propose for Congressional action?—A. This importation of cheap labor. The abolition of convict labor and the stoppage of the immigration of Chinamen.

The committee then adjourned until half past seven o'clock p. m., at which time it met and proceeded in taking testimony.

EDWARD B. HOLLIS sworn and examined.

By the CHAIRMAN:

Question. Are you a member of the organization called the Knights of Labor?—Answer. I am.

Q. Were you on the 6th of March, and prior to that time?—A. Yes, sir.

Q. What was your occupation at the time of the strike?—A. I was a machinist by trade.

Q. Were you working for any of these railroads known as the Gould system?—A. Yes, sir.

Q. Did you participate in the strike?—A. I went out with the rest.

Q. If you know anything of the cause or causes which led to this strike, please state all you know in regard to that matter.—A. It would be necessary, in order to give you a clear account of this, to go back further than any of the other witnesses, perhaps, that have testified. I would want to go back to the strike of March, 1885, and give you the causes of that strike, and the settlement that was made, and how made. As near as I can recollect, in October, 1884, a reduction of wages was made at this place, and I suppose at other places on the system, of 10 per cent. The first reduction caused a great deal of dissatisfaction among the men, and at that time there was some little talk of striking among the men. But from lack of thorough organization it was not carried into effect. Again, in January, 1885, there was a still further reduction made, and that intensified the feeling that there was among the men. I cannot say from positive knowledge, but from what I have heard there were three reductions made in Texas, and the strike first commenced in Texas. It went on for some time, and the feeling of the men on the Missouri, Kansas and Texas and the Missouri Pacific began to grow more intensified and finally led to a strike. The grievances that we asked to have adjusted at that time at this place were that the wages paid prior to the reduction in October be restored, or that that scale be restored to all that had had their wages reduced, and that time and a half be paid for all overtime; that is for all time worked over ten hours a day, at nights, or on Sundays, and that a reduction be made in the hospital fees of 25 cents. These were the grievances that we asked to have adjusted at this place; and that no one be discharged for participating in the strike. These were presented to our master mechanic here. At first the strike was not supposed by us to go beyond shopmen. Now, there were at that time inducements held out to us by several other organizations in the way of aid, so far as they could aid us without striking themselves—as individual members, not as labor organizations, but as individual members of those organizations. They at various times came through the shops and asked us why we did not strike to have our wages restored, and gave us to understand by what they told us in an indirect way that they would aid us, and in view of that fact, that we anticipated getting aid from them, and as we had been unjustly dealt with, and not being thoroughly organized into a labor organization of any kind, we did not proceed in the manner that strikes are generally conducted. That is, we made no attempt before to have the grievances arbitrated. The excitement prevailing in Texas came North and pervaded the men here and at Sedalia and at other places, and on the 15th day of March I believe it was, as near as I can recollect, at 3 o'clock in the afternoon, after a failure to have our grievances adjusted up to that time, we quit work. The strike lasted eight days. During that time the trains on this road did not run. The manner of procedure was to request engineers when at any time they came out with a fresh engine not to go out on it, and in all instances that I have knowledge of our requests were complied with. We made Sedalia the headquarters for representatives of the strikers from the various parts of the road, and met there to try and make a settlement with the officials of the railroad company. There were not at any time

any overtures made to us that I am aware of towards settlement. The governors of both States were compelled to call the militia out.

Q. What States do you mean?—A. Kansas and Missouri. The soldiers at one time were at Centerville, near Sedalia, but did not come there. The governors of the two States interceded at that time in our behalf, and met with the officials and made an agreement with them to settle the strike. They submitted a proposition to the officials of the railroad company, which they accepted and recommended to us as a settlement of the trouble. The railroad agreed to give us the wages that we had received prior to the reductions that I have mentioned and time and a half for overtime, and that all striking employes should be returned to their several positions without prejudice for having participated in the strike. The agreement that the railroad company came to with the governors of Missouri and Kansas was accepted by us as a settlement of the difficulty. We were never well satisfied with it, but at the time we thought it best to accept that and end the trouble. We thought we might be able afterwards to get something that might be more acceptable to us in the way of an agreement.

Q. Did not the general superintendent and first vice-president, in his circular, state that the wages agreed to should not be reduced without giving thirty days' notice?—A. Yes, sir; I believe he did say that hereafter the rates of wages was not to be changed without giving thirty days' notice. But that called to my mind something that I would like to have said in connection with the first, as to what was done when wages were reduced the first time. We were notified of the reduction about the middle of the month, and the reduction dated back to the first of that month.

Q. Do you mean that you were notified after the reduction had been made?—A. Yes, sir; about fifteen days after.

Q. In other words, for fifteen days you were working on reduced wages without knowing it?—A. Yes, sir. The hospital fees were not reduced at that time. We did not like the words "without prejudice," because we thought it was an evasion of what we had wanted, and could be construed in a manner that would be detrimental to us, and at the same time pretty hard for us to prove that there was any violation of the spirit or intent of the agreement. But we accepted it and returned to work. There was, at the time of our strike at this place, some sectionmen that came out on the strike. They are men who get very low wages, and after being out two or three days, not having any understanding with us that there would be anything done for them, they came to us and asked us if we would stay out for their wages to be raised also. They were told by a body of the strikers in the Library Hall at this place that as their wages were low they had better return to work, and that we would see that in the settlement their wages were restored too. Soon after the settlement of this the trouble began anew; and that is the start of our grievances. In the first place, I would like you to know that we did not understand the agreement to mean in spirit and intent that it was only those who struck that were to have their wages restored. We thought it was the intention that our demands were to be complied with and that our grievances were to be adjusted, and that all whose wages had been reduced were to be restored; and from that misunderstanding the grievances began to arise. There were some trackmen here in the yards at Parsons who were out on the strike who never have had their wages restored. There were men in Texas that did not have their wages restored, but they were not strikers. After we attempted to adjust the grievances then the trouble began. We were told in every case, while we attempted to adjust them, that this agreement only applied to strikers, and in cases where men were hired to fill up the ranks of some strikers that had gone away it did not apply to him either, as he was not a striker. Now, it was not our intention that the strike was just for those men who were out on a strike at that time.

Q. Do you mean to say that the railroad company gave the preference to strikers who remained in their employment?—A. No, sir; I do not.

Q. That is, they restored the wages of the strikers, but declined to restore the wages of those who did not strike?—A. It was the intention that we should use the victory, as we thought it was at that time, to cover the wages of those who had not struck, but the railroad company did not seem to want it in that way, and while we attempted to have the grievance, as we considered it, adjusted, we failed to do it. But I suppose you are aware of the fact that before this the wages of those who did not strike were restored at some of the places for loyalty to the company. The wages of the men in the shops in Saint Louis were restored for loyalty, and, if I am not mistaken, on the Iron Mountain road, where the men did not strike. And when we were asking to have wages restored we were told that the men we were asking it for were not strikers.

Q. You mean that the principle of loyalty was not applied to all, but just where it materially affected the interests of the company?—A. They were paid for their loyalty at a time when loyalty to the company was needed by them. When they were anticipating a strike of the shopmen in Saint Louis, they went into the shop and told the men that if they would not strike they would restore their wages; and they did

do it. But these other men, who did not strike, that were not in a position that was dangerous to the company, the loss of whose services would not have been felt so much as those in the shops in Saint Louis would have been felt, and therefore they were not adjusted when we asked it. Soon after the strike, in May, it became generally the opinion of the men all over the system that a reduction of the force was about to be made. At that time there was, as there is now, a great many men out of employment, and we thought that it would be better, if the company had to reduce expenses, that we should ask them to reduce the hours in proportion to the number of men that they proposed to let off. And there was still some grievances in Texas of the kind that I have spoken of.

Q. Do I understand you to mean by your statement that knowing the fact that the company had to reduce expenses, you preferred to reduce the number of hours that each of you worked rather than have the regular hours at the expense of those who were to be discharged?—A. We preferred to keep the men at work and work less hours ourselves and get less pay.

Q. That is the agreement you refer to?—A. Yes, sir. There was a notice posted up in the freight house at Fort Worth of a reduction of wages. One of the men in the freight house drew up a protest against the reduction, and he took it around and asked his co-laborers to sign it. They did so, and he presented it to the superintendent of the division, Mr. Harris, at Fort Worth, and in ten minutes after presenting that to him he was discharged. That is one of the grievances that we had in Texas at that time. There were at Marshall, Tex., seven men who had been discharged. These men had been prominent men in the strike, and, of course, we supposed, and it was natural for us to suppose, that they were discharged for participation in the strike. That was another grievance that there was in Texas. We attempted to adjust them. There had also been a reduction in the wages ordered of the track-foremen and track-walkers on the Texas and Pacific road; I believe it was on the Texas and Pacific. Mr. Cumming was superintendent of that road at that time. We thought it best to try and adjust the grievances, and I went to Fort Worth to investigate the case of Mr. Clark, who had been discharged. We found that he was a competent man, or, at least, his foreman said that he was. We found out that he had worked for the company for a considerable length of time—I think about three years—and all that we could find out about Mr. Clark was that he was a good man. We asked Mr. Harris as to the cause of Mr. Clark's discharge. He told us, in the first place, that he was discharged on account of having to reduce the force, but after some conversation he admitted that he was discharged for incompetency. He said that he was incompetent and careless. We were not satisfied about that on account of his having made the statement before that he had discharged him because he had to reduce the force. We failed to adjust that with Mr. Harris, and had to go to Mr. Cumming to get Mr. Clark reinstated. Mr. Cumming investigated the case of these seven men that had been discharged. We were told that they were discharged on account of not having work sufficient for them to do, nor material sufficient to keep all the men at work. There were a number of men at that time, as near as I can give somewhere near three or four hundred, and it was necessary to reduce the force. We made the same proposition to Mr. Cumming that I have told you; that is, we told him that if there was nothing else against them—and he said there was not—that we would like to make him a proposition, and that was that instead of discharging the men that he reduce the number of hours in proportion to the number of men that he discharged to make a necessary reduction in expenses. He finally consented to do it. He never made any reduction in the time, however, and when I asked him about the reduction of the wages he said that he could not adjust that, as it came from higher authority; that it was an order that had come from Saint Louis. There was another matter that I attempted to adjust with him.

Q. Were these seven men restored?—A. Yes, sir; I said they were restored. There was another matter that I attempted to adjust with him, and that was this, as I said before, in order that I should make things understood, although you may think it is probably foreign to this inquiry, but I would like to add that it is the policy of corporations, wherever they have been defeated by labor in the strike, to defeat the men afterwards in some way or other. I saw that cropping out pretty soon after the settlement of our strike, and I said that the scale of wages should be maintained, and in order that the men should reap the benefit with us, the same scale of wages should be maintained in the shops, and that the new men should not be made any exception of; and I saw no reason why he should be hired at the lowest scale that there was in the shops.

Q. Do you mean for the same class of labor?—A. No, sir; mechanics are graded; say a machinist, one class, the lowest class, will probably get \$2.50 a day, the medium or average, \$2.75, and those who are better still will probably get \$2.90 or \$3 a day; but in all cases that I knew of the man that they had hired would start in at the lowest.

Q. Of the class to which they belonged?—A. No, sir; if they were men capable of

earning \$3 per day they would pay them \$2.50. In the department we would be rated, because, as I said, there may be three or four grades in the shop, and a new man coming would be paid \$2.50 a day. I have always insisted that this was nothing more than a systematic reduction of the wages; as the old men go out new ones come in, and they keep the new ones at the minimum scale. Now, I thought that that was not right. I thought that if a man was worth \$3 a day he should get that. The only way that they would get around that was they would say he was not worth it. I consider, as a mechanic, I have judgment as well as the officials. While it is not generally supposed that we can exercise authority in the matter, I always thought that we should have justice; and we asked that that be adjusted. We asked for the same rate to be paid for the same class of work, whether performed by the same person or another. We asked that of Mr. Cumming, but he did not adjust that, and, finding that it was not the intention, we thought we should go out on a strike in March. We did not suppose the railroad company would have our wages restored to what they were before the reduction of September or October, 1884, and then cut them down a month after the strike. We did not suppose they would do that. They gave us twenty-six days' notice, as nearly as I can recollect, at the time they wanted to reduce the pay. We did not want to resort to a strike, so we selected a committee to go to Texas and from there to Saint Louis and see Mr. Hoxie.

Q. Do you remember what month that was?—A. It was the month of May, 1885. I was not one of the committee that went to Saint Louis.

Q. You may state the result.—A. I went to Texas and came back to Parsons, and another man went from Parsons to Saint Louis in my place, as I was needed in the shop. The foreman in the shop here asked me to go to work and let the other man go. The result of that conference was that there were several things that that committee asked to have adjusted. One of the things that we asked was this—that before any one be discharged that he be suspended, and that the charges on which he was to be suspended be given notice of in writing and allow him an opportunity to defend himself, and to see whether they were right or not. I believe men were discharged very often for things that we did not think they should be discharged for—for being prominent members of the Knights of Labor—agitators, as they are generally termed by railroads and other corporations, and I suppose by everybody else, and we wanted to prevent that, and if a man was to be discharged there should be something to discharge him for, and that the man should know it. Therefore, we asked that before being discharged that they should prefer charges against him in writing and give him an opportunity to defend himself. We did not succeed in getting that. Mr. Hoxie would not grant it. He did say that when any one was discharged and should present his case in writing to the superintendent of the division on which he worked, and if it was found on investigation that he was wrongfully discharged he would be reinstated; but he did not give us any opportunity of an investigation before being discharged. Then at that time we asked Mr. Hoxie the same as we asked Mr. Cumming—to pay the same rate of wages to men who performed the same class of work, and we also asked him that when a reduction was necessary in order to reduce the expenses of the road, that instead of discharging the men that he reduce the hours proportionately to the number of men that were to be discharged.

Q. Did he not agree to do that in his original agreement?—A. Yes, sir; that is in the original agreement. You will find it there.

Q. It was settled that the rates would not be changed without thirty days' notice?—A. This is the reduction of the force. When the reduction of the expenses was made that would cover the reduction of wages, when reduction of expenses was necessary, that instead of discharging the men, as it was customary to do, and especially after the strike, we did not want the men discharged, because the men were discriminated against by railroad companies, and to prevent that we wanted them to reduce the hours. After some time Mr. Hoxie agreed to that. He did not want to do it at first, but did not offer any good argument against it, however, and finally he agreed to it. We wanted these charges preferred against men before discharged to prevent any trouble when men were discharged, especially where there are labor organizations. After a man is discharged we found that he would make complaint that he was unjustly discharged, and it very often happens that he wants the organization to which he belongs to investigate the matter, and if unjustly discharged to endeavor to have him reinstated. We wanted this agreement with Mr. Hoxie to prevent this trouble, but we did not get it, and all these things have remained as grievances until to-day. The section men have not yet had their wages restored. Men had been discharged at different places; and while it is a very hard thing to prove that a man is discharged from prejudice, circumstances surrounding have led us to believe that in a great many cases they have been discharged for their participation in the strike. Some of them we have claimed were discharged because they were members of an organization known as the Knights of Labor, and because they were workers in that organization. Now in September of the same year we again asked to have these grievances ad-

justed; but we only got the concession from Mr. Hoxie that no one should be discharged when it was necessary to have a reduction of the expenses, and after getting that we let the others all go. We considered that as we were arbitrating these matters, and got part of what we wanted, we could rest for the time being.

In September of the same year the grievance spoken of by Mr. Brannon, in regard to the foundry here at Parsons, was causing a good deal of dissatisfaction among the men. In this connection you will see in what way they could take advantage of us. When it was decided to make a reduction, they asked that it be made proportionately of all men employed, and instead of doing that they reduced the hours, and it made it very hard on them. Of course they were dissatisfied, and they asked that it be adjusted. That foundry matter, together with the grievances that I spoke of before that had not been adjusted, was considered. And then it was decided to send the committee again to Mr. Hoxie and ask him to adjust these grievances, together with the foundry grievance. At that time we asked Mr. Hoxie to give the unskilled laborers working on the system a dollar and a half a day, which we considered was not anything but a reasonable request. The statement of grievances was left there with Mr. O'Hara, I think his name is, who is Mr. Hoxie's clerk. He did not know where Mr. Hoxie was at all, and could not find him. The committee staid there some time and came home without getting their grievances adjusted; and they kept accumulating and have been accumulating ever since. We have had the agreement violated where it was agreed to reduce the hours instead of discharging the men. We have had that agreement violated time and again. They have discharged men indiscriminately, and have not reduced the labor, and have not reduced the hours. In the car department of Parsons, in February, there were seven or eight men discharged. There was no reduction of the hours made, contrary to the agreement, and an open violation of it. And there were at different times men discharged that we succeeded in having reinstated, and thereby got the reputation of trying to run the shop. We would ask to have them adjust a grievance and live up to the agreement that they made with us, and from that we had the reputation of trying to run the shops. There were six or eight men, I believe, at one time discharged at Marshall, contrary to that agreement. Of course we did not feel that the winter time would be the proper time for us to try and adjust these grievances, as the company would be likely to take advantage of the fact that it was winter, and that we would only have to go through the thing again, and go out on a strike without having them adjusted, and therefore we did not go.

There was business that called some of the members of the Knights of Labor to the meeting of the district assembly in Marshall, Tex., the 15th of February. The business of that meeting was not to adjust grievances or to make any demand on the railroad company at all. It was purely business of the organization, and in this connection comes Mr. Hall. Mr. Hall was a delegate to this district assembly. He was foreman at that time of some part of the car department there, and he asked permission of Mr. Crosby to be absent to attend these meetings, and he was granted permission. There was one of our brothers that was with him at the time—Mr. Thorborn, of De Soto, Mo. He heard Mr. Crosby tell him he could be off on a leave of absence. Mr. Hall told him he might be absent two or three days, and that he would go to the shop in the morning and be there a short time and look around and see that the men all had work, and again at noon, and in the evening if he could. With that understanding he was given permission to attend the district assembly meeting. We were in session two days, and after we adjourned Mr. Hall went to the shop in the afternoon and took some of the delegates there to show them the shops at Marshall. He asked permission of the master mechanic, as visitors were not allowed to go through the shops without permission. He took us through the shop and afterwards attended to his business. In the evening, or that night, he received a note telling him that his services would be no longer required, and that he should call at the office and get his time-check. He went to Mr. Crosby and asked him why he was discharged. Mr. Crosby told him he was discharged because he laid off without permission. It naturally created some excitement, and it was considered by a great many men that it was an insult to the members of that district assembly, and an insult to the organization of the Knights of Labor on this system of railroad. In the excitement it was so considered.

At that time a committee at Marshall went to investigate the reasons of the discharge of Mr. Hall. They interviewed individuals who were thoroughly familiar with the matter, and made an effort to have Mr. Hall reinstated. The executive board of the district assembly then made circulars, and issued them to every local assembly on the system or that was attached to the district assembly, giving the minute particulars of the discharge of their brother and all the circumstances connected with it, and asked, "Will you sustain your executive board in demanding the reinstatement of Brother Hall, together with the adjustment of other grievances?"—that is, the grievances that were standing. It was almost unanimous all over the district that they would. Now, after receiving that answer—and I want to say that

this executive board had other business to attend to at Marshall that kept us there—that is, business of the order not connected with any grievances against the railroad company—after we received these answers to these circulars, then they commenced to investigate the trouble. They had some interviews with Mr. Crosby and the officials there at Marshall—I am not familiar with this—but they could not adjust that, and they asked for a conference with the receiver of the Texas and Pacific Railroad. He did not show any disposition to meet with them, and did not meet with them, but refused to meet them. The executive board asked the citizens of Marshall, through the mayor and the council, what they should do, and they appointed a committee. They met with no better success than our executive board had. The grievance was not adjusted, and you may probably understand that such things as that are calculated to create some excitement among the men, and it did, and the consequence was that a strike resulted on the Texas and Pacific Railway. You probably know there was no strike on this road, or the Missouri Pacific, or Iron Mountain road, for several days after the strike on the Texas and Pacific.

While it has been said by Mr. Hoxie and the press and by the public that we had no grievances, we considered that we had great grievances, and that our organization had been assailed on the Texas and Pacific Railroad, and with that railroad in the hands of a receiver, as we have had experience of the same kind before with other roads that had been in the hands of a receiver, we knew what it meant. One man is hardly allowed to speak to another without being in contempt of court, and realizing that fact, together with the grievances that we had to bear, and after taking the vote to sustain our executive board to demand the reinstatement of Mr. Hall, together with the adjustment of these other grievances, the men on the Missouri Pacific, the Iron Mountain, and the Missouri, Kansas and Texas then went out on a strike. It was for the adjustment of all these grievances that I have told you of, and the discharge of Mr. Hall was simply the last straw that broke the camel's back and not the sole cause of the strike by any means. It had been decided by our district assembly that they should request to have the pay of the unskilled laborers of the company raised to \$1.50 per day. That we considered a just demand. Probably I am getting a little fast. Circulars were issued long before that setting forth the fact that these men that labored upon the line were getting less pay than they ought to. We are an organization not based on trade union principles; but upon principles that are calculated for the elevation of all mankind, and we thought it a duty and not an unjust demand, and that to attain that, if it could not be attained without it, we would go on a strike for that together with our other grievances.

Q. Had you predetermined that before the discharge of Mr. Hall?—A. Yes, sir; there was no time arranged, but it was decided that that should be done prior to the first of May.

Q. Do you mean to convey the idea that this strike was precipitated by the discharge of Mr. Hall?—A. That is the idea that I wish to convey. We believed that the receivership on the Texas and Pacific Railroad, while it may not be so, but we believe that it is, was to be the prime move in a scheme for the purpose of defeating the organization of the Knights of Labor on the Gould Southwest System. We believed that to be so. We thought it was a direct blow at our organization, and there was as much principle at stake in it as anything in it.

Q. (By Mr. OUTHWAITE.) How would the appointment of a receiver defeat or assail your organization?—A. Well, there is something that I have neglected, and I hope you will let me state it right here. And that is this: That in this strike we were deceived in some measures by other organizations. We were given to understand, and I will just say, not as labor organizations but as individual members of certain organizations, that we would receive some support from them in the same manner that we had in our strike in last March. The engineers told us the same thing—a great many of them did—that while they could not go on the strike, they would be pleased to assist us in any way that they could, and that it would not require any Gatling guns to get them off their engines, and it had been our plan to try to get the engineers to come off their engines, together with the firemen and the brakemen. That was the plan we adopted to carry out the strike. We would request these men—use moral suasion and talk to them—and we had been given to understand that they would get off their engines, and they sent committees to see us and tell us the same thing. We were met by some of the officers of that brotherhood—of the locomotive engineers—and told these things; and they afterwards deceived us. Now, on a road in the hands of a receiver—I think you will find plenty of evidence of the truth of that when you get to Texas—if a man that is on a strike requests an engineer to get off his engine, that would be contempt of court. It was practiced on the strike with the Rio Grande, and men lay in jail for requesting men to get off their engines. We believed that it would be practiced on the Wabash road, and we believe that the same thing would be practiced on the Texas and Pacific, to break down the organization of the Knights of Labor, as they had in a measure done in the Denver and Rio Grande and on the Wabash, the roads being in the hands of a receiver. That was one of the great causes

of the strike on the Missouri Pacific and Iron Mountain road, and we thought it would save the men on that road.

Q. Which road?—A. The Texas and Pacific. That is why I spoke of the receivership in that way.

Q. Then it was the opinion entertained with the union men that the receivership was for the purpose of defeating the aims and object of the order of the Knights of Labor?—A. It was not so much the purpose of defeating the aims and objects of the Knights of Labor, as it was for defeating the Knights of Labor on this system. You understand, I suppose, or at least we do, that an individual approaching an organization of capital has very little chance with them. As individuals we have no show. They are organized, and they are ready at all times to meet us as individuals, because they say to us when we go there, no matter how bad our grievances are: "If you do not like it you know what you can do." That is the experience of laboring men; that is why we have an organization; and that is why we did not want our organization broken down on the Texas and Pacific.

Q. You spoke of certain circulars that were issued, asking if the Knights of Labor would sustain their assembly. Have you any of those circulars?—A. No, sir.

Q. You state that they were issued in large numbers and distributed. Was that so that individuals might receive them?—A. No, sir; one copy would be sent to each local assembly. The object of this is that we wanted thereby to keep all our district assembly governments as nearly in the members and by the members as we could; and we adopted this law to do that. If a grievance arises at any place, that the assembly attempt to have it adjusted, and if they fail to adjust it locally, that they should state the cause of the complaint in writing and send it to the chairman of our executive board, and he would make copies of that—that was his business—and send them out to all the locals. They would consider it, and it would be brought up before all the members on the system. They knew what the grievance was at Big Springs, or at Saint Louis, or wherever it was, and of the circular that I spoke about only one copy is sent to each assembly.

Q. We want to get one in evidence. Was Mr. Hall a delegate to the district assembly; about how many delegates were there to that district assembly?—A. I cannot tell exactly. Somewhere about fifty. I may not be within ten of it.

Q. Were they all Knights of Labor?—A. Yes, sir.

Q. How many on the Missouri Pacific road?—A. I cannot tell that. We have a representative system to a district assembly. An assembly has so many representatives to so many members.

Q. I only want to get some idea as to whether they represented the Texas and Pacific or the Missouri Pacific?—A. They were from all the roads I spoke of as in the Gould system.

Q. How many were there, approximately, from the Texas and Pacific?—A. Well, I might guess at it and not go anywhere near it.

Q. Give us your best judgment as to the number?—A. There were probably eight or nine, and there might be ten on the Texas and Pacific at that meeting of the district assembly.

Q. Do you recollect any of them by name besides Mr. Hall?—A. Yes, sir.

Q. Give us the names of some of the others?—A. I am not at liberty to answer that question.

Q. It was a public assembly, was it not?—A. No, sir.

Q. I will pass that question, and ask you how many of them besides Mr. Hall were discharged for being there?—A. I do not know of any. I guess we are about all discharged now.

Q. I mean at the time that Mr. Hall was discharged?—A. Well, at that time there was not any, but there was a representative there that had been discharged previously; and, by the way, it was one of the grievances.

Q. I want to know how many were discharged beside himself; why would they discharge him and not discharge the eight or ten others that were there, if that was the reason?—A. I do not say that Mr. Hall was discharged for being there.

Q. You may not have said so, but I have received that impression from the testimony that has been given and, perhaps, partly from your own testimony?—A. I said that we thought that he was discharged for that.

Q. Well, I want you to show the reason for your thought, if you can give any reason for that thought?—A. I can give you the reason for that. Mr. Hall has been what I told you—a prominent man there in the Knights of Labor—and it is this kind of men that railroad companies wish to get rid of.

Q. You have been a prominent man in the association, from your testimony?—A. I do not know that I have.

Q. You were not discharged for attending that assembly and for being a Knight of Labor, were you?—A. No, sir.

Q. Did the Knights of Labor ever examine into that question to see and to satisfy

themselves as to whether he was discharged for that reason or whether there might have been some other reason?—A. My understanding is that they did.

Q. Were you a party to that examination?—A. I was not.

Q. I am requested to ask you what you know of the foundrymen at Parsons, about three months ago, going on a strike, and if it was on a grievance that has been considered by the order?—A. I cannot tell you about that strike, for my understanding of it is that the foundrymen struck as members of the Iron Molders' Union.

Q. In going to all these places which you and other members of the order have gone to on business of the order, you may state whether passes were furnished by the railroad company?—A. They were.

Q. To how many of your order?—A. Well, there were a good many that got passes, and some that did not. I do not know how many got them, and I do not know how many did not.

Q. In general terms, how many?—A. I could not make any further statement as to that.

Q. I did not understand you to say how old you were?—A. I believe I was not asked that question.

Q. I will ask it now?—A. I am thirty-one.

Q. And how long have you been at the business you now follow, and when did you learn your trade?—A. I went to work at my trade in 1872; that is fourteen years ago.

Q. In your order do you claim that all men of a certain trade will work with equal ability and faithfulness?—A. Oh, no; we don't claim that at all.

Q. How do you propose to regulate any of these difficulties; one man may be only half as competent as another?—A. I do not propose to do that; I ask that equal pay be given for equal work, either by the same person or by another.

Q. Then, if I understand you, you would have different grades of workmen?—A. If one man does the same work as another, he should get the same pay for it.

Q. But suppose that men do not come up to two-thirds of an average?—A. I have not found very many unreasonable men in our organization here, and we just asked that we have that done and supposed that we could get justice from the officials of the railroad, the foreman or master mechanic; but they have orders to employ men at the lowest figures, irrespective of their abilities; well, then, we cannot do anything.

Q. Then, as you understand, it was not based on any competency, but that they always pay them to work at the lowest figure?—A. Yes, sir. There is another thing I would like to state; that after the agreement was made between our committee and Mr. Hoxie, he agreed to decrease the hours instead of discharging men. It then became a fixed policy of the railroad company not to hire any more men. They would not hire any more men, and I have found our foreman and different master mechanics that we had here at Parsons at different times, when they would be asked by men to give them work, say, "We have plenty of work, but I am not allowed to increase the force."

Q. I am requested to ask you this question, whether any men were employed just previous to the strike of March 6?—A. Yes, sir.

Q. About how many, or what proportion?—A. There was one man that I remember asking the general foreman to give him work, and he did put him to work. I cannot just remember how long it was before the strike, but not a great while. My impression is not over a week before the strike he gave him work. There were two boiler-makers hired in our concern before the strike. Understand that the machinery on the roads was in pretty bad condition. There were a great many fire-boxes needed at this place, and the company needed some men, but would not employ them. They would generally keep up the force of men and would put one in another's place, and occasionally one man would be slipped in.

Q. Any thing further that you want to state?—A. I do not think of anything further just now.

Q. (By Mr. OUTHWAITE.) Just before the strike did the master mechanic or any other foreman tell you that he needed more men?—A. I cannot remember exactly. Mr. Newall was not at Parsons a great while. But, in some connection, I do not remember what it was, my recollection is that he told me himself that one of his duties was to make a report of the condition of the engines. If I remember right he showed me a report on paper, and he told me of the number of fire-boxes that were needed, and that it was a pretty bad road to come to, because we were in a pretty bad shape. Whether he told me that he needed more men or not, I cannot say positively. My impression is that he said he could work more men, but he was not allowed to hire any more, but was instructed to keep up the force as it was.

Q. Were the hospital fees ever reduced?—A. They were. Shortly after the strike they were reduced.

Q. The amount which you requested?—A. They were reduced 25 cents on the month. Those that had been paying 50 cents only paid 25 cents. I think that is the way.

Q. (By Mr. PARKER.) You spoke of an agreement that the company should shorten the time instead of discharging the men when they had not enough work for all.—A.

No, sir; I did not state it in that way. I said that when it became necessary to reduce the expenses, instead of discharging the men they reduced the number of hours' work in proportion to the number of men that they intended to discharge.

Q. Was there an agreement made to that effect?—A. There was.

Q. With Mr. Hoxie.—A. Yes, sir.

Q. Was it in writing?—A. It was printed. I will just state that they sent it to Mr. Fitzsimmons at Sedalia by telegraph and he had copies of it made and printed.

Q. It contained just what you have said?—A. Yes, sir.

Q. Copies of that can be obtained from among your men?—A. Yes, sir. I have had a copy, but I cannot find it.

Q. Look at this, and see if it is the one you allude to?—A. Yes, sir; that is what I allude to. It is as follows:

“SAINT LOUIS, MO., May 25, 1885.

“J. W. FITZSIMONS,

“Sedalia:

“According to promise made you on Saturday, I advise that we will strictly enforce the provisions of the circulars of First Vice-President Hayes, dated March 15, 1885. In the shops, and wherever else it may be practicable, we will reduce the hours of work, instead of reducing the force, whenever the necessity arises; that whenever any employé believes that he has been unjustly discharged, he may make a statement of his case in writing to the superintendent of the road on which he has worked, who will promptly investigate and reinstate him if wrongfully discharged. It is believed that the interests of the company and the employés are identical, and the management earnestly desires the hearty co-operation of all employés in the efficient and economical administration of the properties under its charge, to the end that the fullest development of its capabilities may be brought about and work may be given to all under conditions in every way satisfactory.

“A. M. HOXIE,
“Third Vice-President.”

Q. Now, the agreement of March 15, 1885, stated that the company was to restore to its striking employés in Missouri and Kansas the same wages paid them in September, 1884, including one and a half price for extra time-work and to restore all of said striking employés to their several employments without prejudice to them on account of said strike. That was the clause to which you refer, was it not?—A. Yes, I refer to that. The company construing it, as you understand it, that the language “striking employés” here allowed them to make such terms as they saw fit with non-strikers or subsequent employés. That was carried out.

Q. Did not the company claim that?—A. When we went to adjust these grievances they turned our attention to the section “those who are now strikers.”

Q. Then strictly under this agreement they were not binding themselves to men who did not go out on the strike?—A. It was just as I said there, and we expected that the company would live up to the settlement in spirit as well as in letter.

Q. But you might put one construction upon it and they put theirs upon it, and that a different one?—A. Yes, sir; I guess that is so.

Q. The language does not say anything but “striking employés?”—A. That is all that it is.

Q. And when they extend it to striking employés do you complain?—A. No, sir; we do not complain. But we ask that they restore the wages.

Q. You do as to subsequent employés?—A. What I asked was that those who had not struck have their wages restored them prior to that.

Q. There was no objection to restoring the wages of the striking employés, was there?—A. As I said there were some men that were on the strike that did not have their wages restored.

Q. Well, substantially, the wages were restored to all who were on strike, were they not?—A. No, sir.

Q. To how many were they not restored?—A. I cannot tell to how many. There were some freight-handlers who were not restored.

Q. Just a few men, and no large class?—A. A few men here and there; but they were grievances to us just the same.

Q. The fund out of which the wages of the men are paid is made up of services of the carriers, is it not?—A. I presume it is made out of the service they render to the public.

Q. That is, the farmers and the producers and the consumers, in paying freight, make up really the wage fund out of which the men are paid?—A. That is the way it is generally understood.

Q. What right had you and your men upon the discharge of Hall, which you took partly as an insult to the order, and upon the other grounds that you have given, to throw the business of the farmer and other producers and the tradesmen and consum-

ers into confusion without consulting them or giving them any notice?—A. Well, we would probably differ some on that.

Q. I want your explanation of what right you had?—A. In the first place we would claim that we had not thrown the interests of the farmer, and all the others, into confusion, and that as I said before we have very little show as individuals with organization of capital.

Q. That I admit, sir, as to your meeting corporations. But on the other hand, I would like to have some explanation, if there is any, upon what theory of justice or fairness you and the men associated with you throw into confusion the business of all these great classes producing the wage fund out of which you are paid without giving them this notice?—A. I will just say to you that we did not do it; that the railroad company was equally responsible. That they could have adjusted the grievances in a short time by meeting with us.

Q. By doing what you wanted them to do?—A. By meeting us at least. They never showed any disposition to meet us and settle with us in the beginning, before the strike occurred. They would never meet us, nor have they ever met us, and therefore I have said we have not thrown this business into confusion.

Q. Admit that all. Was not the strike from your side?—A. We might admit that, and at the same time say we were forced to strike.

Q. Did the strike come from your side?—A. We struck.

Q. At the time you struck, did you make any provision for perishable or time freight?—A. We had nothing to do with that.

Q. What became of the perishable freight?—A. I do not know.

Q. What became of the seeds coming for the farmers at that time?—A. I suppose they reached their destination.

Q. Did you allow the trains to run?—A. We did not stop them.

Q. Did you run them as you had been running them?—A. We did not run them.

Q. Did you hinder the killing of engines?—A. No; I do not know that I hindered it.

Q. Did you hinder the breaking up of trains by taking out the coupling-pins?—A. I do not know that I did.

Q. Did you help in getting to the farmers the property that was on the road and they had bought or ordered?—A. I did not.

Q. I do not ask you what you may or may not have done yourself, but did the organization seek in any way to make the blow of the strike fall lighter upon those parties that furnished this great wage fund that you men are paid out of? Did they seek to do that in any manner that you know of? Tell me yes or no.—A. By answering yes or no, it would cut no figure.

The CHAIRMAN. Answer the question.

Q. (By Mr. PARKER.) Did they or did they not?—A. The organization did not do anything. We, as members, ceased to work.

Mr. PARKER. You do not answer the question.

Q. (By the CHAIRMAN.) Did the organization as such attempt to stop this strike or attempt to prevent injury?—A. That puts the question in a different light. It means to prevent injuries. We did. We counseled against injury.

Q. (By Mr. PARKER.) And did you strike regardless of the effect upon the producers?—A. We considered our own interests in the strike.

Q. And no others?—A. Yes, sir; we did.

Q. What others?—A. We considered the interests of every human being on earth.

Q. (By Mr. PARKER.) Now, if you will come down and answer the question I ask you, sir, you will much oblige me. Do you propose to break any effect of it by not answering it?—A. I am ready to listen to it.

(The question was then read:) I do not ask you what you may or may not have done yourself. Did the organization seek in any way to make the blow of the strike fall lighter upon those parties that furnish this great wage fund that you men are paid out of? Did they seek to do that in any manner that you know of?—A. Not that I know of.

Q. Do you think that is right, sir?—A. In the first place, I can say now what I wanted to say before. I recognize the fact, as I believe that you will, that all who labor are producers. Either they are producers of wealth in the form of something to eat or in the form of machinery, or in any other form they are producers just the same. We do not understand that any certain class are the producers. We do not understand that one class of producers, of one certain kind of wealth, while they might have the greater interest, are to be considered as the only producers.

Q. I understand you to say that before Hall was removed you had intended to strike before the 1st of May?—A. I said that there had been circulars issued, and it was decided that unless these grievances were adjusted, together with the requests that we had made of Mr. Hoxie to increase the pay of the laboring men, that they would strike. That is what I said. I wish to say that this Hall case was not the cause of the strike—not the sole cause of the strike—as has been generally understood.

Q. But it was largely to compel recognition of what you thought the proper rights of the Knights of Labor?—A. I did not wish to compel the recognition of the Knights of Labor.

Q. Had that any bearing upon it? That is one thing that I would like to have a clear answer about.—A. We wanted to be able to send men to represent us, as they send men, and be met with courtesy. That is what we wanted.

Q. Was not one of the objects of the strike to get that right?—A. Why, it certainly was.

Q. That was one of the objects of the strike, to obtain that recognition?—A. It became one of the objects.

Q. That is what I wanted to get at. I want to know the facts of the case. Hall was not a member of the same district assembly as you were?—A. Yes, sir; he was.

Q. What is the number of that district assembly?—A. No. 101.

Q. Then it extends to Texas, Missouri, Kansas, and Arkansas, and includes the entire Southwestern System?—A. Yes, sir. District 101 includes the entire Southwest System.

Q. How many local assemblies does it include?—A. That I cannot answer.

Q. Can you approximate how many local assemblies there are in that district assembly?—A. Probably thirty-five.

Q. (By Mr. BUCHANAN.) You spoke of a reduction of 10 per cent., and then of another reduction of 5 per cent; did this agreement restore both of these reductions?—A. Yes, sir.

Q. The agreement of March 15, 1885?—A. Yes, sir.

Q. You spoke of the section men receiving low wages. Do they receive the same now?—A. Yes, sir; the same as they had.

Q. What are their wages?—A. One dollar and ten cents a day, I believe.

Q. Do you know?—A. I think that that is it. I do not know positively.

Q. You said that there were trackmen whose wages were not restored after this agreement was entered into; how many are there whose wages were not restored?—A. I cannot say. It is pretty hard to approximate these things, because I was employed in the machine-shop.

Q. Do you know how many persons were affected by not having their wages restored?—A. No, sir; I do not.

Q. But you do know that there were some?—A. Yes, sir.

Q. You spoke about the object for which you understood the receiver on the Texas Pacific was appointed. That object, as I understood you stated it, was a presumption from facts you observed, and not a positive statement?—A. I did not make it as a positive statement.

Q. You do not know whether any scheme of reorganization entered into the making of the receivership?—A. No, sir; I do not.

Q. By (Mr. PARKER.) Where was your birth-place?—A. Lancaster County, Pennsylvania.

JOHN McLAIN sworn and examined.

By the CHAIRMAN:

Question. What is your business?—Answer. I am an engineer.

Q. How long have you been engaged in that business?—A. About six years.

Q. Where are you working?—A. On the Missouri Pacific road.

Q. How long have you worked for that road?—A. For the last two years, the last time.

Q. A witness named Weller testified to-day that you had informed him that there was some danger brewing that would culminate probably Tuesday or Friday. Did you tell him that?—A. Yes, sir.

Q. State why you told him so, and what was your source of information?—A. I told him at the Centeropolis Hotel, that there was a remark made "that if the Knights of Labor won, God help the men working in the shops at the present time;" and as Mr. Weller is a brother of mine in a secret order it was my duty to post him and tell him to look out for himself.

Q. Did it look to you much like they were going to win from the present indications?—A. I do not know anything about it so far as that is concerned.

Q. Did you really think there was any danger?—A. To him? I did not know.

Q. How did you hear that remark made?—A. It was made in a crowd of four or five.

Q. Was that all that you had to base your opinion on, simply the remark that you heard?—A. That is the extent of my information.

Q. (By Mr. BUCHANAN.) In making that remark did you also take into consideration the excited state of feeling here?—A. Yes, sir; I did.

Q. If there had been no trouble in the past would you have paid any attention to such a remark?—A. No, sir; I would not.

Q. (By Mr. PARKER.) Had you any intent to influence him as to fear as a witness, or influence the testimony he would give here?—A. No, sir.

Q. (By the CHAIRMAN.) Do you know whether the man who made this remark was a Knight of Labor or not?—A. I do not know. I am bound by an oath to give my friends warning if I can do it.

Q. You had no idea, had you, that the Knights of Labor contemplated anything of that sort from the simple remark you heard some man make whom you did not know?—A. I cannot say.

Q. But you must say.—A. I hardly can do it and be true with it.

Q. You understand my question is simply this: Did you intend to convey the idea to him that he was in danger from the Knights of Labor, or did you intend to leave the impression upon this committee that you thought he was in danger from the Knights of Labor simply because you heard some unknown man make that remark?—A. I intended to convey the idea to him that he was in danger, and to look out for himself. The remark was made in a crowd, and I do not know who made it, and do not know whether he was a Knight of Labor.

WILLIAM A. COLE sworn and examined.

By the CHAIRMAN:

Question. How old are you?—Answer. Thirty-three last fall.

Q. Where do you live?—A. At Independence, Kans.

Q. Do you live here?—A. I do not.

Q. What is your business?—A. I am a carpenter.

Q. Have you ever worked for any of the railroads embraced in the Gould system?—A. Not the present Gould system.

Q. I am handed here a memorandum in which it is stated a man named A. L. Clark, who is now holding a position as foreman in the paint shop at Parsons, told you last October, at Independence, that he had assurances from the master mechanic at Parsons that all who were connected with the strike in 1885 would be gotten rid of; that he is now foreman in the shops at Parsons, and that he was promised a position in the shops as foreman. Did he make the statement to you, in substance, which I have just read, and, if so, when?—A. He made that statement about the 10th of October of last year.

Q. Since he made that statement to you has he obtained the position?—A. He is now holding the position he spoke of then.

Q. Did he refer to the conversation except in that general way?—A. I simply said to him, referring to the conversation, "I see you got what you spoke of last fall," and he said, "Oh, yes; I was into this scheme last fall." That was all there was of the conversation.

Q. Is he in the house now?—A. I do not know.

Q. Do you know anything more about the cause of this strike?—A. I had some general conversation about this matter, but little more than I have stated, and I don't remember exactly what it was.

WILLIAM BREHM sworn and examined.

By the CHAIRMAN:

Question. What is your occupation?—Answer. I am a machinist.

Q. Where are you working now?—A. I am doing nothing now.

Q. Did you go on the strike?—A. I was not there when the strike took place.

Q. Were you engaged in the Missouri Pacific shops at the time of the strike?—A. Yes, sir.

Q. Why did you leave that employment?—A. At the time the strike took place I was off sick, and since the strike I have been back there three days and came out again.

Q. Were you discharged?—A. No, sir.

Q. You left of your own accord?—A. Yes, sir.

Q. Were you ever promoted while you were in the employment of that system?—A. If you call it promoted, I was; but I did not get the wages of the man who held that position before.

Q. What position did you hold before you were advanced?—A. I was a machinist.

Q. To what position were you advanced?—A. I was raised to what you may call a gang-boss, having charge of the engines; that is what they call a gang-boss.

Q. How much are the wages of a gang-boss?—A. They were getting \$100.

Q. How much larger were the wages of a gang-boss than the wages of a machinist?—A. Well, I was getting \$3 a day and the gang-boss was getting \$100 per month.

Q. That is \$78 a month. When you were promoted did you get the \$100 a month?—A. No, sir; I was still paid by the day.

Q. Then you had the honors and not the emoluments. Is that what you intended to convey?—A. I had the honors, and that is all.

Q. Did that amount to cutting down the wages in your case?—Well, I cannot say.

Q. If the ordinary salary of a gang-boss is \$100 a month and you were made gang-boss at \$78 or \$80, was that cutting down the salary of the gang-boss?—A. It looks to me that the salary had been cut down.

Q. (By Mr. BUCHANAN.) How long did you serve as gang-boss?—A. About six or seven months.

Q. Did you make any application for an increase of salary?—A. Yes, sir.

Q. To whom?—A. To the general foreman.

Q. Give me his name.—A. Mr. Charles B. Weller.

Q. Did you receive an increase?—A. No, sir.

Q. What reply was given to you?—A. The reply was that the company could not do anything; that they would not allow them to increase the pay-roll any more than they were.

Q. Did you take the place of a man who left the pay-roll?—A. No, sir; I was promoted as foreman.

Q. Did he take the place of a man who left the pay-roll?—A. No, sir.

Q. Then, giving to you the wages of this gang-boss would not have been increasing the sum total of the pay-roll?—A. No, sir; I did not look at it in that way.

Q. (By the CHAIRMAN.) What was the arrangement made between the master-mechanic and you?—A. The arrangement that was made between him and me was that when they cut down the hours from ten to nine they would give me ten hours. I was getting \$3 a day, and they reduced the others to nine hours and gave me ten.

Q. Do you mean that they paid you for that extra hour?—A. No, sir; that was just the same that I was getting before. I was getting \$3 for ten hours, and when they reduced the working hours I got just the same. When they were getting nine hours I got pay for ten hours, getting the same wages.

Q. (By Mr. BUCHANAN.) Were you gang-boss at the time you left the company's employ?—A. Yes, sir.

Q. (By the CHAIRMAN.) They made you a present of twenty-six hours a month?—A. They gave me that extra hour. They did not reduce my pay with the rest. The rest of the men's pay was reduced, and mine was not.

Q. (By Mr. OUTHWAITE.) Did you ever present that grievance to the Knights of Labor?—A. No, sir.

Q. Was it ever presented to them, so far as you know?—A. I cannot say whether it was or not.

Q. You are a member of the organization?—A. Yes, sir.

JOHN T. MCPHEELY sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. At Parsons.

Q. How long have you resided here?—A. Seven years.

Q. What is your occupation?—A. I am a blacksmith.

Q. Did you ever work for the Missouri Pacific System?—A. I have.

Q. When did you begin work for that railroad, and when did you stop?—A. I began in 1879, and stopped on the 6th of March last.

Q. Did you go out on the strike?—A. Yes, sir.

Q. Have you ever been offered a position by the railroad officials since the strike in consideration of your withdrawing from the Knights of Labor?—A. I have; that is, not exactly. I made application to be reinstated when they commenced operating the road, thinking that the first one that made application would be taken into consideration when they got to work again, and with that understanding I asked Mr. Newall what the chances would be.

Q. Is Mr. Newall the master mechanic?—A. Yes, sir. He says, "I have nothing against you at all personally, but you have taken a very prominent part in this strike; but," says he, "you come to the office" (this was in the day-time) "to-morrow and I will talk to you." I said, "All right," and then I said, "Cannot I see you this afternoon;" and he said he would not be able to. Then I said, "I would like to ask you one question." He said, "What is that?" I said, "Is there anything required about withdrawing from the Knights of Labor before we can be restored to the shops?" He said, "There is nothing at all in that." Next morning I went to the shop and Mr. Brown, the time-keeper, escorted me in under guard to the main office. And I waited a few minutes and saw Mr. Newall. I said, "Mr. Newall, I came around to see what arrangement could be made about being reinstated when you resumed operations." He said, "Mr. McPheely, I have nothing personally against you, but you have been a very prominent man in the Knights of Labor, and you will have to withdraw from the Knights of Labor and give me your withdrawal card before I can take you back to work." I made no answer, but walked out. That is all the conversation I had with him.

Q. When was that?—A. That was the time when we received orders from Mr. Powderly to go to work.

Q. About the last of March?—A. Along there somewhere. It was the time when all the applications were in there, and when the shops were filled with soldiers.

Q. What do you mean by "walking in under guard"?—A. The soldiers were here, and you could not approach the shops without passing the guns. They would not allow either Mr. Brown, the time-keeper, or me to go without guard; and we were both escorted in.

Q. (By Mr. BUCHANAN.) So you wanted to have your application in when they resumed?—A. Yes, sir. When they resumed operations I wanted to be in there.

CHARLES WILKINSON sworn and examined.

By the CHAIRMAN:

Question. What is your occupation?—Answer. I am a machinist.

Q. Are you working at your trade now?—A. No, sir.

Q. When did you quit work?—A. On the 6th of March.

Q. Did you go out on a strike on the Missouri Pacific System?—A. I did.

Q. Have you ever made application to be reinstated?—A. I did, sir.

Q. To whom?—A. To Mr. Newall.

Q. What reply did he make?—A. He told me that unless I withdrew from the Knights of Labor he could not find me any work.

Q. What did you tell him in reply?—A. I told him I must have time to consider that question before I could give any answer.

Q. Have you ever given him an answer?—A. I have not, sir.

Q. Have you determined whether you would give him an answer or withdraw from the order?—A. I have determined not to sell my liberty at such a low figure as that.

Q. Are you out of employment?—A. Yes, sir.

Q. Did Mr. Newall ask you for your withdrawal card?—A. No, sir.

Q. By telling you that he could not find work for you he meant, I suppose, that he could not give you work?—A. That was the instruction he had from the company.

Q. Did he say who had issued these instructions?—A. No, sir.

Q. What position did he occupy?—A. Mr. Newall is master mechanic.

Q. Was anybody with you when this transpired?—A. John Glenn, the stationary engine fireman, and Frederick Shanburger.

Q. Where were you born?—A. In England.

Q. How long have you lived here?—A. I have lived in this city three years.

Q. How long have you been in the employment of this road?—A. Three years.

Q. (By Mr. BUCHANAN.) When did this conversation occur?—A. Four weeks from to-day. It was the latter part of March or beginning of April. It was the time that a number of the men were going back and making application that I saw him in the office.

Q. You went back to obtain employment after Mr. Powderly had ordered the men back to work?—A. It was at that time. It did not seem to be in good faith.

Q. Your district assembly did not declare the strike off?—A. No, sir.

Q. You left when your district assembly ordered you out, and you were going back without being told by them to do so?—A. It was simply before that second order was given out, and because there were so many of the old employes going and applying for work.

Q. But your grievances had not been redressed, had they?—A. No, sir.

Q. And, without waiting, you were willing to go back to your old employment?—A. Yes, sir.

Q. (By Mr. OUTHWAITE.) Was that paper that has been spoken of shown to you?—A. It was not.

Q. Were you requested to sign it also?—A. No, sir; not a word was said about the paper.

BOZILLEL WELLS sworn and examined.

By the CHAIRMAN:

Question. Were you an employe of the Missouri Pacific at the time the strike was ordered?—Answer. Yes, sir.

Q. Did you go out on the strike?—A. I did not.

Q. What position did you occupy?—A. I was night watchman.

Q. Why was it that you did not go out on the strike if you were a Knight of Labor?—A. They did not tell me to.

Q. Who did not?—A. The executive board for the order.

Q. Is it a fact that you were excused by the board from going out on the strike while the others went out?—A. Yes, sir.

Q. Why were you excused?—A. Because I was a cripple.

Q. Are you still in the employment of the road?—A. No, sir.

Q. How did you come to leave the company?—A. They told me they had no more work for me.

Q. When did they tell you that?—A. Last Thursday, I believe it was.

Q. Was that the only cause?—A. They said they were told I was not as loyal as I might be.

Q. Loyal to whom?—A. He did not say to whom. I suppose he meant the Law and Order League.

Q. Loyal to the Law and Order League or to the company?—A. Just that I was not as loyal as I might be. That is all that was said.

Q. Was anything said about your being a Knight of Labor?—A. He did not say anything about that.

Q. Was that the only cause assigned?—A. The foreman told me to report next day to the master mechanic. I went to him and came back, and he told me that the guard did not want anybody there but their own men.

Q. What guard?—A. The guard they had at the Missouri Pacific shop.

Q. Are they employes of the road?—A. I believe they are employed by the city; at least I was told they were.

Q. Did you take any part in the strike?—A. I did not.

Q. Did you perform your duties as watchman during the time of the strike?—A. As well as I ever could.

Q. What had you done that might make them believe that you were not as loyal?—A. I do not know. I cannot say, for I had not done anything that I know of.

Q. Did not you communicate all the information you obtained from the company to the Knights of Labor on the outside?—A. No, sir; I did not.

JASPER WILLIAMS (colored) sworn and examined.

By the CHAIRMAN:

Question. Where were you born?—Answer. In Texas.

Q. What is your occupation?—A. I am a section man.

Q. On what road?—A. On the Missouri Pacific.

Q. Are you working on that road now?—A. I was before the strike.

Q. Did you go out on the strike?—A. Yes, sir.

Q. Are you a Knight of Labor?—A. Yes, sir.

Q. Do you belong to a colored organization or a white organization?—A. To a colored organization.

Q. Were there other colored men working on the road besides you?—A. Yes, sir; there were.

Q. Did they all go out?—A. Yes, sir.

Q. Have you been working for the road since the strike?—A. No, sir.

Q. How long had you been working for the road before the strike took place?—A. About four years.

Q. How old are you?—A. I allow I am twenty-eight passed.

Q. Did you ever work in the water?—A. Yes, sir.

Q. For the road?—A. Yes, sir.

Q. Did you receive extra pay for it?—A. No, sir.

Q. Did you demand pay for it?—A. Of course, I spoke to the section foreman about it, and he said he did not know, but guessed they would give us some extra pay. He told us to go to the road-master about it, and, of course, we could get no understanding about it from the road-master.

Q. Did you go to the road-master?—A. Yes, sir, we did go to him.

Q. Whom did the foreman send you to?—A. He said go to the road-master. He said, of course, he couldn't do anything about it.

Q. So you failed to get your extra pay. Is that what you mean to say?—A. No, sir; we did not get it.

Q. (By Mr. BUCHANAN.) What is the name of this road-master?—A. Mr. Courtney.

Q. What is the name of the foreman?—A. Peter John.

Q. What is this "working in the water," and what did you do?—A. There was a big overflow that washed the track off the dump, and we section men had to go and get it on the dump.

Q. Where did this happen?—A. Down in the Nation.

Q. When was that?—A. I do not know. I guess it was some time in the latter part of last year. Along about the last of the year; but I do not know exactly.

Q. How many days were you at that kind of work?—A. I believe it was about two or three days, as near as I remember.

Q. How much extra pay did you think you ought to have for that extra work?—A. I thought we ought to have had time and a half. It was the understanding that we were to have that time.

Q. You said that was your understanding. Had you that understanding with the road-master or the foreman?—A. The foreman told us after the strike of last year we were to get time and a half for all overtime we worked.

Q. Was this work in the water "overtime?"—A. Why, yes; in cases of that kind, when the track was washed off the dump, you have to be there all the time. We scarcely got anything to eat.

Q. Do you mean to say that during this time you worked overtime and you only got regular pay, and that you did not get time and a half for that time?—A. No, sir, we did not.

Q. You are certain that you did not get time and a half for the overtime?—A. Yes, sir; I am certain of it. Back last winter, I believe last December, we were taken down in the Nation to shovel snow. They tried to get men to go down there for \$1.10 a day, and men would not agree to go. Well, then the road-master he went around and told the section men to go around and see if they could not get men to go and they would give them time and a half to go and shovel snow. Well, we got several men, and went down, and the agreement was that we were to get time and a half for all the time we were out, and we were out three days, I believe—if anything, a little more—and we scarcely got anything to eat at all. We got two meals during the whole time we were out.

Q. Did you get time and a half for the time you were out?—A. No, sir.

Q. Did you present any of these grievances to your assembly?—A. Yes, sir.

Q. Do you know whether they presented them to the managers of the road or not?—A. I do not know; they said they did.

Q. Do you know whether these grievances were among those which led to the strike?—A. I suppose so, they said they were.

Q. (By the CHAIRMAN.) Who paid your board while working in the water and snow?—A. The road-master; he got what was bought; I guess the company paid for it. I did not.

Q. They paid you ordinary wages and paid the board?—A. They paid us \$1.10 a day.

Q. And boarded you?—A. I did not consider that board.

Q. You all ate together?—A. No, sir; we did not. Of course I was not with the boss all the time. I did not get but one meal a day, and of course I did not get half enough.

Q. Was it customary to furnish board while off with your gang?—A. No, sir.

JOHN W. BURNETT sworn and examined.

By Mr. OUTHWAITE:

Question. Have you been working for the Missouri Pacific Railroad System lately?—Answer. Yes, sir; up to March 5.

Q. Did you come out in the strike?—A. Yes, sir.

Q. What were you working at?—A. At track work; section work.

Q. What complaint, if any, have you to make?—A. Well, along about the 3d of July, the last time of the high water here, we were ordered out on the night of the 3d, I believe; it was the time the track washed away north of the town here down at the stock-yards. The foreman came and told us that he would give us double time for working there that night, and also that he would give time and a half for overtime previous to that.

Q. Did you work through that night?—A. Yes, sir.

Q. Did you get double pay for it?—A. No, sir.

Q. Did you ever sue the company for it?—A. No, sir.

Q. Did you complain to the Knights of Labor about it?—A. No, sir; I have not.

Q. Did you ever make any complaint to the company about it?—A. I went to the foreman about it.

Q. What did he say?—A. He said he would see the road-master about it, and I insisted that he should. He went to the road-master, and he told me that the road-master said that he would allow it.

Q. Was that the same man that had promised you the double pay, and told you that story. You do not know whether he got that money and put it in his own pocket?—A. I worked in the wash-out both here and on the river. I worked at this first, and we were ordered away that night, or about 5 o'clock in the morning, and we came in about 8 or 9 o'clock in the evening. We were to receive after this night down here time and a half for working in the water. They did not say anything about overtime. We were to have time and a half for working in the water.

Q. And you never got it?—A. We never got it.

Q. What is the name of the foreman?—A. His name is Balf.

Q. Is he in the employment of the company now?—A. I think not.

Q. When did he leave?—A. About the 5th of March.

Q. Did he go out on the strike?—A. Yes, sir.

Q. Was he a Knight of Labor?—A. I think he was.

Q. Why did you not take it to the Knights of Labor and get him to explain why he did not do what he had agreed to do, and have the company agree to it?—A. I did

not suppose it would be much use. Once I was working at the stock-yards, and I was paid only part of my time. I went to get a committee about this, but they never did anything for me, and I supposed it would be no use going any more.

Q. (By Mr. BUCHANAN.) The committee of your assembly do you mean?—A. No, sir.

Q. They did not prosecute your grievance?—A. They said they would, but that was the last I heard of it.

Q. (By Mr. OUTHWAITE.) Was it not the duty of that foreman, as a brother Knight of Labor, to see that you had your rights?—A. I think it would have been, very probably.

Q. Did you ever apply to him as a Knight of Labor to see that your wrong or grievance in that respect was righted?—A. Yes, sir; I have.

Q. What did he say or do?—A. He did not make any reply, but only said that he did not see how he could do anything for me.

Q. Did not he promise that you should have double time?—A. Yes, sir.

Q. What justification did he make for not complying with that?—A. He said the rest had only received \$1.10, and he could not give more time to me than he had given to the rest.

Q. Who paid your board at that time?—A. I paid my own board.

Q. All the time?—A. Yes, sir.

Q. Then it was not customary for the company to pay the board of the men under such circumstances?—A. Well, they paid board to the most of them, but I took my victuals with me.

Q. Breakfast, dinner, and supper?—A. I ate my breakfast and supper at home, and took my dinner with me.

WILLIAM WEITZ sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Parsons.

Q. How long have you resided here?—A. This last time, a little over two years.

Q. Have you been recently in the employ of the Missonri Pacific road?—A. Yes, sir.

Q. When did you leave that employment?—A. About the 5th of March, the day before the strike.

Q. Why did you leave the employment?—A. Because there was nothing for us to do where I was at work.

Q. What was your business?—A. I was working at the stock-yards.

Q. Were you discharged?—A. Not then, I was not.

Q. Did you leave voluntarily?—A. He told us there was nothing to do—that they had no work except when stock was on the road.

Q. Your work is intermittent?—A. Yes, sir.

Q. Have you been re-employed since then?—A. No, sir.

Q. Have you made application?—A. I have made application to Mr. Louis Doak.

Q. Have you been re-employed?—A. No, sir.

Q. What reason did he give for not re-employing you?—A. He told me that the company did not want anything to do with this organization, and that they wanted men that were free from that organization. He did not give the name of the organization, but said he wanted men that were free from the organization.

Q. Where are those stock-yards?—A. They are half a mile north of town.

Q. Do they belong to the company, and are they operated by them?—A. Yes, sir.

Q. What organization did he name?—A. He didn't name any.

Q. What organization do you belong to?—A. The Knights of Labor.

Q. Do you know whether he knew you belonged to it?—A. Yes, sir; he induced me to join it.

Q. Is he a Knight of Labor?—A. No, sir.

Q. Has he been?—A. No, sir.

Q. (By the CHAIRMAN.) How did he come to get you to join them?—A. Before the strike a year ago they reduced our wages from \$1.60 to \$1.25. We have been trying ever since to get our wages raised, and we failed, and he said that he had tried to get our wages raised without being able to succeed, and that under the circumstances it would be better if we belonged to the organization; that they might get our wages raised.

JAMES EWELL sworn and examined.

By Mr. OUTHWAITE:

Question. What have you been working at?—Answer. I was in the bridge trade, up to the strike, for the last three years—within two months of three years.

Q. Did you go out on the strike?—A. I quit when the rest did.

Q. What complaint had you of your treatment by the company?—A. I had no special complaint, except we often traveled all night and got nothing for it.

Q. In order to reach the point where your labor was needed?—A. Yes, sir. In one special case I started from Clinton, Mo., and got down into the nation at about half-past four in the morning, went to work at half-past six, and quit work at about half-past seven that night, and I got nine hours for it.

Q. Had you any arrangements for sleeping?—A. About like a man could have riding on a passenger train.

Q. Any bunks or any other arrangement?—A. No bunks, only the seats in the train. We had a car when we traveled on freight at night. It is complained always they would move us so that they would get us at the place they were wanting us at by daylight.

Q. Do men at your kind of work do overtime without getting compensation for it in some way?—A. Well, I do not know whether you would consider it work. I lost two nights' sleep and only got one day's pay for it.

Q. Did you ever take this complaint to the order in any way?—A. I did not. I was not a member until about two weeks before the strike was organized.

Q. Then this matter that you complain of was never considered by the order of Knights of Labor?—A. Not in my especial case; it might have been in others.

Q. Do you know whether it was considered in any general case?—A. I do not.

Q. And you never took it to the company and complained about it?—A. I have said something to our boss or foreman himself; it is very frequently the case that we would be riding all night and working all day.

Q. (By Mr. BUCHANAN.) What are your wages?—A. \$2.50 a day for ten hours.

Q. You work by the hour?—A. Yes, sir, by the hour.

Q. And in making up the time they credit themselves with the time you were traveling?—A. Yes, sir. In fixing to move we have always to load our tools in our own time. Then in regard to what some one was saying about wages being cut down by suspending any man and giving them less wages than \$2.60. After the strike of last March when they hired a new man they hired him at \$2.40.

ELIAS CLUM sworn and examined.

By the CHAIRMAN:

Question. Were you working for the Missouri Pacific Company when the strike occurred?—Answer. Yes, sir.

Q. Did you quit work?—A. Yes, sir.

Q. Were you a Knight of Labor, and are you now?—A. Yes, sir.

Q. How long did you work for the company?—A. For the last four years.

Q. Have you tried to get back since the strike?—A. No, sir.

Q. Have you any grievances to present against the company; if so, what?—A. Nothing but what has been stated heretofore.

Q. Have you anything personal?—A. No, sir, I have not.

Q. Have you ever worked over time for the railroad company and not received pay for it?—A. I have.

Q. When and where?—A. Well, I cannot tell just where, but very frequently.

Q. How much?—A. I have worked over twenty minutes of a night, if that was overtime.

Q. How often?—A. That was nearly every evening. On several occasions I have been out and traveled all night going to work, and have been out two nights without getting pay for it.

JOSEPH H. BUDD sworn and examined.

By the CHAIRMAN:

Question. Are you a Knight of Labor?—Answer. I am.

Q. Were you an employé of the Missouri Pacific Company?—A. Yes, sir.

Q. Are you in their employment now?—A. No, sir.

Q. When did you quit work?—A. On the 6th of March.

Q. Did you go out on the strike?—A. I did.

Q. Have you any personal complaint against this company?—A. I was a blacksmith helper, and have been working fifteen minutes each day over the regular hours, and so have all the helpers. Some of them get \$2 per day and part of them \$1.75.

Q. All equally skillful in their work?—A. Just the same.

Q. What is the cause of the distinction in wages?—A. That is more than I can tell you.

Q. Have you ever presented your complaint upon the subject to the company?—

A. We presented it to the grievance committee, to the foreman, and to the master mechanic.

Q. What did he say about it?—A. He made some promise. That is as far as it went.

Q. You said you presented it to the grievance committee of the Knights of Labor also?—A. Yes, sir.

Q. Did they present it to the company?—A. They told us they did, and the grievance was before the master mechanic.

Q. When did all this happen?—A. I think it was last fall.

Q. Did you object to working this fifteen minutes overtime every day?—A. I did.

Q. To whom did you object?—A. We objected to the foreman and master mechanic.

Q. What did they say?—A. They made a promise that they would do so and so if we would go back and make our fires as we had been.

Q. Give the names of the foreman and master mechanic.—A. The foreman was James John; the master mechanic is Mr. Newall now; at that time it was Mr. Smith.

Q. Where is he?—A. I cannot tell you where he is at the present time.

Q. (By Mr. BUCHANAN.) What was this work you did?—A. Building the fires.

Q. In the morning?—A. Yes, sir.

Q. You knew that was part of the duty when you were hired?—A. We had been doing the firing.

Q. (By the CHAIRMAN.) Did the company post any notice in regard to this matter?—A. Yes, sir.

Q. What was in this notice?—A. It simply said that it had been customary for the helpers to build the fires, and they were expected to perform their duties.

Q. By whom was it signed?—A. By the master mechanic, Mr. Smith.

Q. Do you know where he is?—A. No, sir; I cannot tell you.

Q. (By Mr. OUTHWAITE.) I believe you said it had been customary for the helpers to build the fires?—A. Yes, sir; it had been performed by them.

ALFRED COOK sworn and examined.

By the CHAIRMAN:

Question. What are you doing for a living?—Answer. I am not doing anything at the present time.

Q. When did you quit work?—A. On the 6th day of March.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. How long had you been working for the company at that time?—A. Well, I had been working for the company fourteen months.

Q. In whose place had you been employed?—A. I was employed, but I do not know in whose place. I was employed, and there was a gentleman quit a little while after I was there, and I was put in his place then.

Q. Did you get the same wages as he did?—A. Not by 75 cents a day.

Q. Were you as good a workman as he?—A. I claim to be.

Q. What reason did they give for not giving you the same wages?—A. They claimed that they could not raise anybody's wages.

T. W. NEWALL recalled and examined.

By the CHAIRMAN:

Question. Why was Mr. Wells discharged?—Answer. From the fact that we had information from reliable authorities that he was not a man that was safe to have on our property.

Q. What was the character of the information you received?—A. That he was trying to inform himself in regard to some guns that were on our property, and that he would invariably after leaving the establishment after breakfast go up to his brother's office, or brother-in-law's, and there spend the biggest portion of his time, or at the hall of the Knights of Labor; and I considered that a man who had to keep on duty all night certainly needed some rest, consequently I did not consider him a safe man. That was the reason I discharged him.

Q. You have heard the testimony of Wilkinson and McFeely. They both said that you demanded their withdrawal from the Knights of Labor and you would give them employment.—A. I did, sir; and on my own responsibility.

Q. Had you any instructions from the company to that effect?—A. No, sir.

Q. Did you tell them you had instructions?—A. Never to my recollection; and I would probably have remembered it if I had.

Q. If it is not so that you received instructions from the company, you certainly can tell whether you told them so or not?—A. I have no recollection of having told them that it was from instructions by the company.

Q. If you told them so it was untrue, was it?—A. Most assuredly it was, as far as the company was concerned.

Q. You have heard all the testimony that has been given in this case in behalf of the laboring men. I do not care to direct your attention to any particular part of the testimony; but if there is anything that you wish to rebut here you are at liberty to state it, giving the name of the witness, and what it is.—A. I cannot call to mind anything, sir.

Q. (By Mr. BUCHANAN.) Why did you deem it necessary to make as a condition in the employment of these men their withdrawal from the order?—A. From the fact that so far as McFeely was concerned the foreman of the blacksmith shop told me that he was an agitator, a man who always kept the shop in an uproar, and it was not my desire to keep a man in the shop that would create this feeling.

Q. But did you consider that obtaining his withdrawal from the Knights of Labor would change his characteristics?—A. It would certainly alter his standing, as far as the organization was concerned, to take him out. As to Wilkinson, my opinion was that he was a man who had made trouble during the strike. Mr. McFeely said in effect that his application for work was general. I told him if he would withdraw he could come back to work.

Q. Was it a general application or specific application? Was he to begin on the resumption of work, or did he desire to be taken on at once? Which way do you understand it?—A. I understood it, when the rest of the men went to work, as some of them had gone at that time. That point showed that he had repented it.

Q. (By Mr. OUTHWAITE.) What was the complaint you had against Mr. Wilkinson?—A. That he had been about during the killing of our engines here.

Q. Had you any information of his being present and participating in it directly?—A. I do not know that there was. I was not on the ground when there was anything of that kind going on.

Q. Your informant might have been mistaken?—A. Very possibly he might have been.

Q. (By the CHAIRMAN.) Who was your informant?—A. I believe it was Mr. Weller, but I would not be positive whether it was or not.

Q. You spoke of Mr. McFeely being a labor agitator. Would he have ceased to be a labor agitator if he had withdrawn from the Knights of Labor?—A. Well, it would have taken his power away.

Q. Would his characteristics have been changed? Do you mean to convey the idea that if he had severed his connection with the Knights of Labor that he would have been no longer a labor agitator?—A. I mean to convey the idea that his influence would have gone to a great extent.

Q. (By Mr. BUCHANAN.) Here are two men who applied to you for work. They are reported to you as agitators. These men had now quieted down and wanted to resume work; would it not have tended to reconciliation or pacification, at least on the part of these two men, if you had received them into your employment?—A. Possibly it might; but I told them at the time that this applied directly to them, but not to them as individuals.

Q. You made that distinction?—A. That is the distinction that I made. I do not know that I made it with Mr. Wilkinson; I think I made that remark to them as individuals, and not as a class. I have men in the shop that have given testimony here to-day.

Q. Then you would have refused employment to these two men even if they had not been in the order, if they had the characteristics of which you speak?—A. After I got the information I did about McFeely I would not have employed him. I could not have done that without injustice to the foreman.

Q. (By the CHAIRMAN.) Have you employed any Knights of Labor since the strike?—A. Yes, sir; there is about sixty present of our force that were the old men.

Q. Do you know that they were Knights of Labor that you employed?—A. Mr. Tuley came back and requested to go to work. I had some information prior to the strike that it was an effort on the part of the Knights of Labor to have Mr. Tuley take a position in the office there. Mr. Tuley had been working in the foundry, and was turned over with the foundry force. That was the information that I got. There was a man in the pattern shop that had charge of the patterns, who was working for \$1.25 a day. I do not know what Mr. Tuley got when he was there, for that was anterior to my time. He came back to me and presented the matter before it had been brought up in regard to his being here. When I first came here I told him I would look the matter up and see what I could do. I put him in there at the rate of \$50 a month. When the strike came, Mr. Tuley was suspended from the fact that there was no duty. The foundry shut down. After we got ready to reopen business he came back and asked for his old place, and I told him I could not give it him until he would withdraw from the Knights of Labor. He went off, and came back with the constitution and by-laws, and he said, "I cannot find anything here about withdrawal. The only thing I can do is to get a transfer card," and after that transfer card expired that he would be out of the order. I said, "If you will get a transfer card and deposit it with me, and give me your word of honor that after the expiration of six months you will leave the Knights of Labor, I will give you a place."

Q. Was that on your own responsibility?—A. That was on my own individual responsibility.

Q. The company had nothing to do with that?—A. I do not know that they even knew his name.

Q. (By Mr. BUCHANAN.) If to-morrow these men that have gone out on the strike, were to apply to you for positions within your power to give, would you refuse any of them simply because they are Knights of Labor?—A. There are those that I have mentioned I would not have, and others I would, if I had service for them.

Q. (By the CHAIRMAN.) What was your reason in the case of Mr. Tuley?—A. Just simply that I thought he was a man that had made some trouble there, and that was all.

THOMAS B. TULEY, being sworn, made the following statement :

About the portion of Mr. Newhall's testimony in which he speaks of the transfer-card, I can only state that I was a member of the organization. I did not consider it humiliating on my part to go to him. He made me this proposition, that if I would get a withdrawal card from the organization my job was ready for me. I told him, after studying it over, that I could not do it. I do not know that any evidence can be brought to bear to show that I caused any trouble. I did not go out when the whistle blew. I was at work there and received an injury working in the round-house, and after sending several letters to adjust the matter with Mr. Brock, the master of transportation, it was agreed that I should not bring suit against the company; and with the understanding that I was to go into the foundry office I did not do it; I went back to work, and when Mr. Hanes came back from Sedalia I was made a clerk in the foundry office.

Q. (By the CHAIRMAN.) Did you enter into any written contract?—A. Yes, sir; it is now on file in the company's office.

Q. A written contract that if you did not bring suit you were to have continuous employment?—A. That is my understanding; I never had a copy of it.

Q. (By Mr. BUCHANAN.) Were you working for the company or for the lessees of the foundry?—A. I was working for the company, sir.

Q. (By the CHAIRMAN.) Do you remember whether that provision was in the contract that they were to give you employment until they themselves discharged you?—A. Yes, sir; that is how I understood it.

Q. Then, as they have discharged you, where is your grievance? You say that the contract contains the condition that the company is to give you remunerative employment until it does discharge you.—A. They were to have a cause for that.

Q. Read that [handing the witness a blank].—A. (Witness examining the blank.) I cannot remember it now from the time that the contract was made.

Q. I will ask you whether the contract you signed, or the release you signed, was similar to this or not?—A. I do not remember whether it was or not.

Q. If you cannot remember what was in the contract can you testify to what it contains? The original is now in the hands of the company, I suppose?—A. Well, I cannot do it.

CHARLES H. KIMBALL recalled and examined.

By the CHAIRMAN:

Question. There were some dates you agreed to furnish this morning; have you got them?—Answer. Well, I was asked this morning to give some dates which I was unable to furnish with accuracy. It was between the 6th and 11th of March that a large number of locomotives were disabled up at the round-house by reason of portions having been taken away, and certain ones of them dumped into the turn-table pit. It was on the 11th of March that the railroad company called on the sheriff of the county for protection to its property, and it was on the 12th of March that they called upon the mayor of the city to assist them in regaining possession of their property, and at that time we had eighteen special policemen appointed by the mayor to assist them.

On the 13th of March the sheriff arrived here with his posse and attempted to move a freight train, and on that day the strikers seized the switch engine and coupled it on to the engine that was to move the freight train and ran it back into the round-house against the orders of the sheriff. It was on the 15th of March that the injunction proceedings were instituted, which I mentioned when I was unable to give the date, and from that time until the 26th there were no freight trains moved from the city.

On the 26th of March the first freight train moved from the city from the beginning of the strike, and was guarded by United States deputy marshals. It was about that time that the engines were dumped into the turn-table pit there—one of them at least. It was on the 29th of March that the mayor issued his proclamation calling upon the citizens to enable him to enforce the law. A proclamation was issued the day before, but it was on the 29th of March that the citizens turned out and attempted to move the train.

I neglected to state this morning that at that time the sheriff was present with an armed posse in assisting to move that train, and that there were at least eight of his posse, and possibly more than that, who were armed with double-barreled shotguns and

were on or near the train to be coupled. It was on the 30th of March that the passenger train south was derailed; an engine was killed on that day; and it was on the next day that a telegram was sent to the governor for troops. On the 31st the adjutant-general arrived here, and one train was permitted to go out under his supervision; and then there were one or two engines killed on the same day. It was on that day that the adjutant-general made his address to the strikers. On the 1st of April, again, an attempt was made to take out a train, and the engine was killed. On the 2d of April the troops arrived, in the evening. On the 3d of April the first train moved out of the city under the protection of the troops. On the 4th of April a preliminary meeting was held organizing the Law and Order League, and trains were moved out then under military guard. On the 5th of April the Law and Order League organized, and some of the strikers were arrested. On the 8th the Law and Order League, at the request of the adjutant-general, furnished a guard of special police and members of the Law and Order League to co-operate with the military in guarding the shops; and at that time all the military had been withdrawn except two companies. There were four companies at first, and two companies were withdrawn shortly after they came here. On the 14th of April the remaining troops were removed from the city.

MR. OUTHWATE. I wish to ask you whether you know of any threats being made by prominent members of the Law and Order League against prominent members of the Knights of Labor?—A. Well, I do not think that I have heard any threats. I have heard some denunciatory language against members of the Knights of Labor as being responsible for acts of lawlessness that had been committed; but as to any threats being made against them, I have no recollection of any.

Q. You may state whether it was confined to those individual members as being guilty of lawlessness, or directed toward them as Knights of Labor?—A. It was directed toward them as being responsible for the acts of lawlessness that had been committed, not as having being done by themselves, but as having urged it on or aided and abetted in the doing of it; not as against the order as an order, nor as against them as members of the order particularly for being knights of the order. They were denounced as being responsible for these acts of lawlessness.

Q. (By MR. BUCHANAN.) Was there any denunciation that you know of by members of the Law and Order League, except as to acts of violence?—A. No, sir; nothing. The sole purpose and object of our organization was to prevent acts of violence and lawlessness, and to prevent the commission of those crimes and violations of law that had been committed here right in daylight in our city, or near the city.

Q. And if the objects of the Knights of Labor as stated by Mr. Powderly, to prevent strikes and also to prevent lawlessness, had been carried out, you would not have had any of these denunciations of the violations of the law?—A. None of them. At the time of the organization, and frequently afterwards, it was said in our Law and Order League that there was nothing in the constitution or by-laws of the Knights of Labor that would warrant or authorize the lawlessness that had taken place here.

MR. BUCHANAN. Prominent members of the order have also testified the same thing. THE WITNESS. I understand so.

DENISON, TEX., *Wednesday, May 5.*

The subcommittee, of which Honorable W. H. Crain is chairman, proceeded to take testimony at Denison, Tex., this day.

THOMAS H. FITZPATRICK sworn and examined.

By the CHAIRMAN:

Question. What position do you occupy on the Missouri Pacific system?—Answer. I am general road-master on the Missouri, Kansas and Texas Railroad, north of Denison.

Q. How long have you occupied that position?—A. Since the 6th of March.

Q. Had you been in the employment of the company before?—A. I was division road-master for the Missouri Pacific Company for five years, on the northern division of the line.

Q. On the 6th of March you were promoted?—A. Yes, sir.

Q. Have you been familiar with the rules of the railroad company in reference to allowance of time to the section men?—A. Yes, sir; quite familiar.

Q. Please state what the rule was?—A. Rules for overtime and Sunday work are: we allow the men time and a half, and it depends upon the nature and character of the work how much overtime is allowed for working in water, or high water, up to their knees or beyond that, in working in washouts. I generally allowed them pretty good

time and gave them whatever I thought was right. I do not know that there is any rule laid down for overtime, but it is generally supposed to be time and a half.

Q. By whom is that regulated?—A. The general division road-master.

Q. Do you mean to convey the idea that it depends upon the circumstances under which they are at work, and that you pay them in accordance with the amount of water they stand in?—A. Yes, sir, that is the way it works.

Q. It has been testified before this committee by several men who have been in the employment of the Missouri, Kansas and Texas, that they had been taken down into the Indian Territory and had shoveled snow and worked in water and washouts, and that they had never received any extra pay for it. Do you know of any such cases?—A. I do not. It certainly cannot be the fault of the company; the company do not restrain their foremen from allowing time that their men make. They never have me, and I have been with the Missouri, Kansas and Texas and Missouri Pacific ten years. When it was the Missouri, Kansas and Texas I was with it five years.

Q. Could such cases have occurred without your knowledge?—A. Well, possibly there might.

Q. These men stated in substance that they had been overworked, that they had been worked in water, and in one instance a man had boarded himself, and that he had been promised extra pay for this work in advance, and that although the men had complied with the terms of the agreement, when they went to the foreman they would be referred to the road-master, and sent from one to another, and they had never received anything extra for what they had done. Do you know of any such cases?—A. I do not, sir. I always look very carefully after such cases.

Q. Where were you when the strike took place on the Missouri system, on the 6th of March?—A. I was on my way to Parsons. I arrived at Parsons, I think, on the 6th.

Q. Did you see what took place there?—A. Yes. I was there pretty much all the time.

Q. State in substance what you saw there, without going into the details?—A. Well, when I arrived there I found everything at a standstill. There was nothing doing, no trains were moving, and the strikers had charge of everything there. They would not allow any trains but mail trains to go out.

Q. The railroad company carried the mail on the passenger trains and they did not carry any mail on freight trains?—A. Not that I know of, sir.

Q. Well, state in substance what took place?—A. I do not know that I can give the dates. We made several attempts to take trains out and they crowded in such masses so that the engine could not be run through them, and on several occasions they stopped the trains and would kill the engines, as we call it.

Q. Did you employ any men in the place of the strikers?—A. Yes, sir.

Q. Were they interfered with?—A. Yes, sir; they were intimidated by the strikers.

Q. What took place?—A. They would be met on the way to work, or coming from their work, and at their work, and asked to quit and not to work.

Q. You do not call simply asking men not to work intimidation, do you?—A. Well, they made threats in several instances. One man was requested three mornings in succession; the fourth morning he told the section-boss he could not go to work again, as he was afraid.

Q. Who did this—was it done by citizens or Knights of Labor?—A. Knights of Labor.

Q. As an organization or as individuals?—A. As individuals.

Q. I presume you are well acquainted with the men who worked on the road in that particular place?—A. Yes, sir.

Q. What proportion of them were Knights of Labor?—A. Among the shopmen and in the machinery department I guess there were nine-tenths of them who were Knights of Labor.

Q. Did the other tenth go out?—A. They forced them out; that is, they called them out.

Q. Did they go?—A. Yes, sir.

Q. Did you or not recognize any men that are Knights of Labor who were engaged in this work of stopping trains and killing engines?—A. Could I recognize any of them? No; I cannot.

Q. Do you?—A. I do not know them to be Knights of Labor, because I am not one myself; but they were supposed to be Knights of Labor.

Q. You do not say as a fact that any of them were Knights of Labor?—A. I do not say so as a fact, because I do not know them, but I guessed that they were Knights of Labor.

Q. All of them or a portion of them?—A. Nearly all.

Q. Do you know anything further in regard to this matter that would have a tendency to enlighten the committee as to the causes or extent of this trouble?—A. Nothing but that we had four section foremen and the Knights called them out. The men were per-

fectly willing to work; but they had requested them to come out, and they did so. One of them told me he would stay at work, but he was afraid of personal violence. His name was H. Balfé.

Q. What did the strikers themselves say was the cause of the strike?—A. Most of them said that they did not know anything further than the reinstatement of Hall in Texas; that is all I could get out of them; that seemed to be the only reason they could assign to me. My men who were called out did not know what they were called out for.

Q. Have any of the strikers made a request for re-employment by the company?—A. I had one last night send me a message from Hannibal. He has belonged to the organization, but he did not strike. He was in sympathy with the strikers and he failed to get men on his track, and we had to let him go in order to get a man there who would attend to business; and he had made application to go to work again.

Q. Did you answer his application?—A. Yes, sir.

Q. What did you tell him?—A. I told him there were no vacancies and that his services were not required. There were no vacancies. We had to put a man there who would keep a crew together.

Q. Is that the only application made to you since the strike?—A. Two of these men who were called out at Parsons made application to me to get their old places.

Q. Did you take them back?—A. Yes, sir; I took one of them back; but he was afraid to go to work there and asked me to take him on the line some place else.

Q. What was his name?—A. His name was Balfé.

Q. What is the reason you did not employ the other one?—A. The other man was prominent in the order, and is not a very good man anyhow.

Q. Did you refuse him because he was a Knight of Labor?—A. No, sir.

Q. Has the company issued any instructions to you not to employ Knights of Labor as such?—A. No, sir; I never received any instructions of that kind that I know of.

Q. Do you know of any request being made by section men before this strike was ordered for an increase of their wages, either directly or by a committee, to you or to any other officer of the road?—A. No, sir.

Q. (By Mr. BUCHANAN.) Section men are employed under you?—A. Yes, sir; they are employed under me.

Q. What are their wages?—A. The wages run from \$1.10 to \$1.40.

Q. What have they to pay for board?—A. All the way from \$14 to \$15.50 per month. It depends upon the locality.

GEORGE A. WRIGHT sworn and examined:

By Mr. BUCHANAN:

Question. Do you reside at Denison?—Answer. No, sir; I reside at Palestine.

Q. How long have you resided in Palestine?—A. I was born and raised there.

Q. How old are you?—A. I will be forty years old in July.

Q. Have you been engaged in business there?—A. Yes, sir.

Q. In what business?—A. In general merchandising and farming.

Q. Had you any troubles there on the railroad?—A. Yes, sir.

Q. What effect, if any, had these troubles upon the business interests of Palestine and surrounding vicinity?—A. It had a tendency to demoralize business.

Q. For how long were freight trains delayed running?—A. I cannot say that exactly, but for ten or fifteen days.

Q. Was any freight received or sent out during that time?—A. No, sir.

Q. What effect had it upon your own particular business?—A. Well, it had this effect on the mercantile part of the business: I could not get any goods in. I had a better supply than most of our merchants, as I had commenced early in the season, and therefore I did not suffer as much as the majority of our merchants.

Q. It resulted in your selling fewer goods than you would have sold?—A. Yes, sir.

Q. Give in your own words, in a brief way, the effect of the suspension of trade upon the business of Palestine generally?—A. It has cut off all trade from the outside except our local trade. I suppose there was from 25 to 40 per cent. less business done during the strike than before.

Q. As a farmer what effect had it upon you?—A. I cannot say that it affected us much in that respect, as farmers generally had got their supplies, or to a great extent they had. They got a good deal of meat and flour and sugar and coffee. Most of them buy on credit, and have to rely upon the merchant who carries this trade for their supplies; consequently we had to cut down their supplies.

Q. Where do you get your goods from mostly?—A. From Saint Louis largely; a portion of them from New Orleans, and also from Galveston, Houston, and New York.

Q. And they are distributed to what points?—A. Ours is mostly a local business.

Q. You have spoken of receiving your goods from Galveston, Houston, and New Orleans. Was there any interruption in obtaining goods from those sources?—A. Yes, sir; we could not get any on account of the strike along the Missouri and International and Great Northern Railroad.

Q. Are you dependent upon the services of what is called the Gould system of roads for your supplies from New Orleans and Houston?—A. Yes, sir.

Q. Did you during the continuance of this strike mingle with the strikers freely, and did you hear them talk about the strike?—A. Yes, sir.

Q. What was the cause given by them in conversation generally as to why they were on strike?—A. The first I heard of it was I saw men going by the store, and I stopped one of them and asked him what was the matter. He said they told him to lay down his tools, and he dropped them and came out. I asked him again what was the matter, and also others, and they said it was because of the discharge of a man named Hall.

Q. Did you hear them allege any other reasons?—A. They came out in a circular in which they stated that that was one of the reasons, and that there were three or four minor reasons; and then they afterwards came out with what they called a list of grievances.

G. W. BURKETT sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. At Palestine, Tex.

Q. And have for several years?—A. Yes, sir.

Q. What is your business there?—A. My business is a railroad contractor generally.

Q. Were you there on March 6, when the strike commenced?—A. Well, I was near there; I do not know whether I was there on that particular day or not.

Q. Tell us what was the cause of the strike there.—A. I saw engines coming in from different directions, and when they would get into the Palestine yard the engines would be switched and killed; that is, all freight engines were killed.

Q. Describe, in short, how that was done.—A. Well, I was not there all the time when it was done.

Q. Just tell us what you saw there.—A. I saw from fifty to one hundred men get on a train there, and as soon as the engine was got into the yard they would blow her off and do what is generally known as killing the engine.

Q. Just how they did it you do not know?—A. No.

Q. What was done with the engine?—A. It was just left right there.

Q. It was not run into the roundhouse?—A. I do not know that. Some of the engines were inside of the roundhouse and some outside. All the engines that came there with freight trains during the time they had full force were killed.

Q. About how many?—A. I would not be able to state that, sir.

Q. What was done with the freight that came in?—A. Well, the freight was distributed around the yard there by some men that seemed to be in charge of that yard. It looked to me for a while that the railroad officials had nothing to do with running the yard.

Q. Who were the men that seemed to be running the yard?—A. I can not tell you; they seemed to be a crowd of thirty or forty men.

Q. Were they men that you knew?—A. No, I do not know that I knew them particularly.

Q. Were they railroad men?—A. Yes, sir.

Q. Were they strikers?—A. It is my understanding that they were strikers.

Q. Had you any knowledge of your own that they were Knights of Labor?—A. No, sir, I have got no knowledge of that; but it was generally understood that it was the Knights of Labor that had charge of the yard at that time.

Q. Were there any acts of violence done of your own knowledge except the killing of engines?—A. That is something that I do not know much about.

Q. Do you know of any efforts by the civil authorities to stop these disturbances?—A. Yes, sir; the civil authorities took the thing in hand finally and stopped it.

Q. Was it the sheriff with his posse and patrol of citizens with arms?—A. Yes, sir, we had arms; I had a shotgun there myself.

Q. What other arms?—A. Shotguns and six-shooters, and so on.

Q. Any Winchester rifles?—A. I cannot say; I do not know that I saw any of them, or what different sorts of arms they had.

Q. This was a sheriff's posse?—A. Yes, sir.

Q. About how many did they have?—A. From seventy-five to one hundred and fifty; I do not know the number; but there was quite a number of them anyway.

Q. Was there any militia called in?—A. Not that I know of.

Q. What weapons did the strikers have, or did they exhibit any?—A. I did not see any.

Q. And they numbered how many, those that were on duty but whom you cannot say whether they were strikers or not?—A. I could not say exactly how many there were, but it was a large crowd.

Q. What were they doing that you took part with arms to prevent them from doing?—A. Well, the company could not move any of their freight trains that were in the yard, and they wanted to move trains and they called on the citizens to assist them to do that; and I do not know of any cause why they could not if it was not from the strikers, and I supposed that they were the men that prevented the company from moving their trains.

Q. When your citizens assisted in this manner, did they then move the trains?—A. Yes, sir.

Q. The engineers and firemen went on with their work and the others went out?—A. Yes, sir.

Q. How long did the blockade last there?—A. I do not remember, but about twenty days' or somewhere about that.

Q. Previous to that did the sheriff bring out a posse to protect the property?—A. The sheriff had some deputies down there, and I know of my own knowledge that the engines were killed in the presence of the deputies.

Q. Then the sheriff and the deputies were not able to stop the disturbances?—A. Not at that time.

Q. But when the citizens came out in force, as you have described, then the strikers fell back and the trains moved?—A. Yes, sir.

Q. And from that time till this they have been moving?—A. Yes, sir.

Q. And no trains ditched?—A. No, sir; I have heard of none. On the day I came in there I had just got back from Saint Louis, and I had a car-load of mules and wagons there. I had about four hundred and fifty men in my employ, and when I got down to Palestine I found that there was a strike then inaugurated. I went to the head center of this thing for the purpose of seeing one of the leaders of the Knights of Labor, and I said to him, "I have got a great many men in my employment, and I would like to know what this thing amounts to. I have got mules and wagons freighted here, and my men must be supplied with something to eat." He said: "Mr. Burkett, we do not intend to do anything detrimental to your interests." He said: "I do not know the cause of this strike. It is a general order issued from our headquarters, and what it is for I cannot say." Then I went over to Mr. Hall, in the office of the superintendent, in regard to the matter, and I told him I had a great number of men at work and was under bond for the completion of my contract for \$10,000, and I said to Mr. Hall I would like to know what he knew about this strike, and when it was going to end, and to give me all the information he could. His reply was that these men had walked out of their shops and had not said a single thing to him, and what they were striking for he could not tell. Then I walked back in town and got a promise from the Knights of Labor to unload my freight. I had a car-load of wagons that were Huntsville wagons, that were boycotted, and I got permission from these men to unload these wagons, and he then said to me, "I did not know these wagons were Huntsville wagons."

Q. Did you go and unload your mules and wagons, or had you got your mules before? A. I had got the mules before.

Q. So that you could not get all your freight without you had their permission—A. No, sir.

Q. To whom was it that you had to apply?—A. I cannot tell that, sir, as I do not remember.

Q. How soon was that after the strike commenced?—A. Very soon after the strike commenced; three or four days or two or three days; I forget.

Q. Was the freight there on the depot ground?—A. My freight was in the Palestine yard.

Q. Did you find men in charge of the yard and cars then?—A. Yes, there were men in charge of that yard, and it was impossible to move a car there without permission.

Q. Were they Knights of Labor?—A. Yes, sir.

Q. And it was men that were acting for them that had charge at that time?—A. Yes, sir.

Q. And guard has been continued there ever since?—A. Yes, sir.

Q. For how long a time?—A. There is a guard there now. I think the company has a guard there all the time.

Q. Did the citizens keep guard there for some time?—A. The citizens kept guard there for a few days, but I do not remember exactly how long.

Q. After you got your freight, do you know anything further in connection with the work about the yard as to what was going on with other men's freight?—A. There was a committee appointed under which all freight was delivered to the merchants.

Q. Do you remember upon what day that was?—A. It was about four or five days after the strike commenced.

Q. By whom was that order given?—A. That order was given by the man that was in charge of that yard.

Q. Under the Knights of Labor?—A. Yes, sir; they were.

Q. Then they gave the orders to these men who were controlling the freight and consented that the citizens should take their freight?—A. Yes, sir.

Q. Were these the men that usually managed the affairs there—railroad officials?—A. The railroad officials had really nothing to do with that thing at all. They were not running the road at all, and they had no power over the freight there. A freight train came in there, and the officials said it was to be put on one side of the track; they would be told "no," that it would have to be put on the other side of the track.

Q. Who did that, and what class of men were they?—A. I suppose it was the Knights of Labor—the strikers.

Q. Were there arrests made there?—A. Yes, sir; there were several arrests made.

Q. When were they made?—A. I cannot say, but it was some time during the strike.

Q. Was it after the citizens assisted the sheriff?—A. The arrests were made after the citizens assisted in moving the trains.

Q. Not before?—A. I do not know of any before.

Q. Were these men put under bonds?—A. I think some of them were put under bond.

Q. (By Mr. BUCHANAN.) What are these contracts of which you speak that you are connected with?—A. In building a branch of the International and Great Northern that I had.

Q. You spoke of employing a great number of men. Are there any convicts among those men?—A. There are no convicts among my men.

Q. You spoke of Huntsville wagons. Where are they made?—A. They are made in the penitentiary at Huntsville, Tex.

Q. Why do you buy these wagons; are they cheaper than others?—A. I buy them simply because I think it is to my interest to do so.

Q. You say they are boycotted. What do you mean by that?—A. That is a term that is used here.

Q. What I want to know is what you mean by that allegation?—A. If I understand the meaning it is an organization here in the State of Texas now, and in other States; and when they do not wish to trade with anybody or any concern they usually term it a "boycott," and use it to compel the other side to yield to their wishes.

Q. What I want to know is, had such action been taken as to the Huntsville wagons?—A. Well, I understand that they have done that with both penitentiaries in Texas. But as far as my wagons were concerned they did not use any resistance to having them unloaded.

Q. Did you attend the citizens' meeting in Palestine some little time ago?—A. No, sir; I did not.

Q. Were you present with some citizens when one of the strikers made some complaint about the wages that were due them?—A. Yes, sir; but I do not remember when it was.

Q. Was it anything about getting their pay?—A. Yes, sir.

Q. What was it?—A. There was one proposition there by one of the leading Knights, who said the company had not paid them, and that they had a claim on the company until they got their money, and that if they were paid off they had no other claims. That proposition was made before a citizens' meeting in Palestine.

Q. What was the name of the man who made that proposition?—A. Marshall.

Q. Does he live in Palestine?—A. He was then in Palestine. I think he has now left that country. The next day myself and Mr. George Read met on the street, and I asked how much would it take to pay these men off. It was generally understood that about ten or fifteen thousand dollars would pay all of them off. We agreed with Read to raise that money and pay them off, and adjust the matter, and for them to let the trains go on. Mr. Marshall said that he did not—

Q. (By the CHAIRMAN.) Was he present?—A. Not when we were talking on the streets.

Q. Did you go to him and tell him that?—A. I did not go to see him, but I believe Mr. Read did.

Q. Did you hear him say what you are now going to state?—A. No, sir.

Q. (By Mr. BUCHANAN.) Was this ever brought to the knowledge of the strikers?—A. Everybody understood that we would raise the money.

Q. To your knowledge?—A. I do not know; I cannot say. If you ask me what the remark was and what the reply was, it was that Mr. Marshall said this. He says: "If I said that I did not remember. If I said it I had no authority to say it, and if I said it I withdraw my proposition." Now that is his remark on the street.

Q. Did you hear him say that?—A. No, sir; I did not.

Q. (By Mr. PARKER.) There were no arrests made to your knowledge until the sheriff with a posse of citizens took action in the matter?—A. No, sir; I do not know of any.

Q. Up to that time no arrests had been made?—A. No, sir; I do not think there had been.

Q. Do you know that the Knights of Labor, in taking charge of the yard, as they did, claimed that they were doing it to protect the property and in the interest of law and order?—A. They claimed that they were. I saw a coach there full of negroes, from twenty-five to thirty of them down in the yard. I do not know whether it was the superintendent's car or not. And in another coach, in the other end of the yard, there was general headquarters, and they were claiming that they were protecting the company's property.

Q. And representing the Knights of Labor?—A. I do not know what they were representing. I do not know who is a Knight of Labor.

Q. What we want to get at is the claim on which they based their action?—A. Yes; that is what our understanding was.

G. A. WRIGHT recalled and examined.

By the CHAIRMAN:

Question. You have heard the testimony of Mr. Burkett; do you know whether that proposition was ever brought to the strikers or not?—Answer. Yes, sir; I think it was, sir.

Q. State your reason for thinking so.—A. Mr. Marshall made this proposition to Mr. Burkett to settle matters, and said that he would give his word himself for the Knights of Labor that if they had their money that they would not go back there to the company's property, nor let a man interfere with an engine, nor interrupt any business there; that they wanted their money, and that was all they asked. I saw Mr. Hunter the next morning and asked him why they did not pay these men the money they owed them. Mr. Hunter is employed as a railroad attorney, and Mr. Gooch is a local attorney there. Mr. Gooch said these men have not asked for anything but what they are entitled to, and asked Mr. Hunter why they did not pay up and stop this confusion, and he said they would do it. I then told them to go to Marshall and get him to put his proposition in writing, and if he did so we would pay the money. Mr. Gooch went to Marshall about it, and he said he had made no such proposition. Mr. Gooch told him that he had done so, and there were some Knights of Labor present when he said he did not make it. Mr. Gooch came back and said that he denied having made the proposition.

Q. Do you know anything of this of your own knowledge?—A. I do know we offered to pay the money.

Q. But what passed between Mr. Gooch and Mr. Marshall, you do not know?—A. Not of my own knowledge; but from what Mr. Hunter and Mr. Gooch came and told me.

Q. (By Mr. BUCHANAN.) Were these men employed under the Texas and Pacific or the Missouri Pacific Railroad?—A. They were employed on the international division of the Missouri Pacific.

Q. (By Mr. OUTHWAITE.) Did any information come to you that Mr. Marshall denied his proposition?—A. Yes, sir; they told me this. They told Mr. Marshall he did make such a proposition, and he said he did make it, but had no authority to make it, and would withdraw it.

PETER HUGHES sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you reside?—Answer. At Palestine, Anderson County, Texas.

Q. What business are you in?—A. I am selling groceries there now.

Q. About how much stock do you carry?—A. Fifteen thousand dollars to twenty thousand dollars.

Q. Where do you get your supplies?—A. Mostly from Saint Louis and Kansas City.

Q. Now you may state if there was any interference with your business; how did it arise?—A. Well, sir, we generally try to have one or two car-loads of flour and bacon on the road, so that we can handle them. On the 6th of March, at 10 o'clock, they were handling a car-load of flour, when the men working there stopped, some of them coming down the track. I asked them what was the matter, and they told me they had struck. I asked one man that I knew why they had struck, and he said he did not know. Our business went down during the strike, and we had 150 sacks of flour left when the embargo was raised, and we could get more ordered, and it virtually paralyzed the business of Palestine for at least a fortnight.

Q. Do you know of any interference with the trains?—A. At one time, before I went out, I was chief deputy sheriff for Anderson County. Acting under my old commission I was put on duty in the yard. We had several citizens to watch the property; but before that the strikers had taken possession, and we could not get possession of it.

The CHAIRMAN. You mean by virtue of your old commission?—A. The sheriff called me out under that old commission, and put five men there, and he told me to avoid having a conflict for possession with the strikers, and under no circumstances to let the men get into an open conflict. There were two or three hundred men on the yard, and we could do nothing with them, so we drew back and gave them their own way. We had instructions not to fight them, and to let them take possession rather than go into collision with them as we had done on several occasions.

Q. Well, how did they interfere with the movements of trains?—A. Well, sir, when a freight train came, they would meet it. They would go down, from fifty to a hundred of them, and put the train on the side track and kill it, and leave the engine right on the train.

Q. You were present at that meeting spoken of by the preceding witness when a proposition to raise money to pay off the strikers was made?—A. No, sir.

Q. (By the CHAIRMAN.) Did the scarcity of supplies affect the prices of goods at Palestine, and did the merchants take advantage of the condition of the stoppage of freight?—A. Our trade is almost entirely a country trade. Our trade was mostly credit business with the farmers of the country that we carry. We did not go up on our prices, and it did not affect our customers in that way.

Q. (By Mr. PARKER). From your dealings with the farmers, do you know the effect of this strike upon the farming community in that vicinity?—A. No, sir; only from hearsay.

Q. As to getting their seeds?—A. No, sir; only as to what I heard them say.

Q. What do you know as to injury to perishable goods there?—A. No, sir; I do not know that. I paid not much attention to that.

Q. What about this permission to unload goods?—A. That was only in the beginning.

Q. How many engines were killed in the yard?—A. I believe there were fifteen or twenty.

Q. To the best of your knowledge and recollection these engines were in a killed condition at one time?—A. So disabled that they could not be used.

Q. (By Mr. OUTHWAITTE.) Did you converse with many of the strikers after they went out?—A. Well, I suppose I met almost all the prominent strikers.

Q. Within two or three days after the strike, and they gave no reason for going out?—A. No, sir; they did not know why they went out.

Q. How soon after they went out did you begin to hear the reasons?—A. I suppose it was a week.

Q. What were they?—A. It was on account of the discharge of a man by the name of Hall, at Marshall.

Q. How long after was it before any other reasons were given?—A. I suppose it was ten or twelve days probably. They commenced issuing circulars, but when it was they got them out I do not recollect.

Q. Have you copies of those circulars?—A. I cannot find that I have any now.

Q. How long after they went out was it before the first of these circulars was issued?—A. About a week.

Q. The second one how soon after that?—A. A very short time. There was a citizens' meeting and they issued another right after that.

FRANK FANNING sworn and examined.

By the CHAIRMAN :

Question. Where do you live?—Answer. Palestine, Tex.

Q. What position do you hold there, if any?—A. I am yard-master.

Q. How long have you occupied that position?—A. Since last October some time.

Q. What are your general duties?—A. I have the movement of all trains under my charge coming into Palestine, making up the trains and ordering trains out.

Q. You have the general management?—A. Everything is in my charge in Palestine yards.

Q. Where were you on the 6th of March?—A. In Palestine.

Q. Had you any notice of the strike before it occurred?—A. No, sir; only the boycott on the Texas and Pacific cars, forbidding me to move them.

Q. How long before that had the strike taken place on the Texas and Pacific road?—A. I cannot say. The first notice I had on the morning of the 4th I noticed that there were some parties tacking printed notices on the cars "boycotting" them. They were Texas and Pacific cars. I examined the notices and asked what that meant, and was told that I had permission to set those cars out of my way, but not to let a cargo out of the yard with one of those notices on it. They told me that Mr. Hall had been discharged at Marshall, and they were going to keep every car of the Texas and Pacific back until they put Mr. Hall to work; and we had to put them in the store yard.

Q. You obeyed their orders?—A. Certainly, we obeyed their orders. We had to obey them. They said they would stop all trains if I let a Texas and Pacific cargo out of the yard, and, to avoid trouble, I agreed, as they had boycotted them. Then they began to come to the office and looking at our bills, to see if there were goods from the Texas and Pacific road in the Missouri Pacific cars, and began to mark them off with chalk, and there were about fifty cars put to one side. They said that not another car nor pound of freight should be moved until Hall was put back. That was on the 5th, and I put away these fifty cars in my store-away.

Q. Were all of them Missouri Pacific cars?—A. All of them, or Wabash. So that we had not a pound of freight left Palestine yard after the 5th. On the morning of the 6th when the local came in it had some goods of the Texas and Pacific, and they came down and marked them boycotted and I had to set that car to one side. That was the morning of the 6th. At 10 o'clock, or about that time, the whistle blew, and as it was too early for dinner I thought to myself there was some trouble; and by that time I saw men going right and left and saw them going to the Knights of Labor hall at the Opera House, about 250 yards from there. About 12 o'clock I saw a big crowd of men coming up the track, and I supposed they were going back to work. They went into the freight-house and then into the round-house and began stripping it. Then there was a blowing of whistles and they pulled the fires and blew the water out of the tanks and disconnected the engines, and such like, and then went on into the round-house. So that stopped the moving of trains at Palestine. It was not long before a train came in, and they took possession of that and of them all as they came into the yard. They climbed all over the train and before it stopped they had it killed. I then went to see this Mack Fox, who was represented as the head of it, and I said to him: "You have got possession of the yards, and I want to make one request of you, and that is that trains coming into the yard you will have the brakes set on the caboose and let them take up the slack so that they will hold the pins, and prevent any drawing of pins." I did that because I was afraid there might be a fire. If he did that and let the trains stay in that condition we could take the switch engine and clear the yard in a few minutes, running every train that we had in Palestine out. They told me they were going to kill every engine.

Q. What do you mean by "taking the slack"?—A. I mean to set the brake on the caboose, or on the end of the train, and that makes the pin so tight that it can not be taken out. They agreed to let that be done. He told me I was under his direction, that I was no longer yard-master, and that I was his assistant. He gave me instructions what to do, and where to put the trains as they came in. When there was a time freight train with meat on it came in, they killed the train immediately after he had stored it away. I called his attention to it that it was a meat train, with time freight, and he said to me, "By God, who is doing this thing, you or me?" A crowd of about a hundred and fifty men were about the train, pulling pins, disconnecting the engine and tender, and killing it. If I had a train coming in, I had to find out where to put that train from them. He would come to my office and tell me where to put it. There was a train coming in there, I think it was an extra from the south, and he came in and told me there would be an extra train in from the south in a few minutes.

Q. How did he know that?—A. I can not tell. And he told me that if I let that train pass here he would ditch it. Under our orders it is impossible to run the train through the yard without orders. When the train commenced pulling on the grade and before it got into the yard, they got all over it, and set brakes and brought the train to a stand right at the main switch. A train has to pull down and back into the siding to get into the yard, as the Palestine yard is built in a V. He had threatened that he would go down to the north switch and ditch the train if I attempted to let it go through without stopping it, and he and another man went on down that way. Of course, when the train came in, they set brakes and it was impossible to get it back into the yard. That engine was killed. This was on March the 8th. I went on down the yard and met several Knights of Labor, and quite a crowd of them came on down and said that they killed that engine and they were going to kill them all. I would say that there was probably a hundred or more men in the crowd, and they disabled her by breaking bolts and blowing her off.

Q. Were you then discharged?—A. No, sir; I had no further work, but came down to see how things were going, and Mr. Fox told me if we attempted to couple in a car with the passenger engine they would kill it; and they went right to the roundhouse to the passenger engine and disconnected it from the tender.

Q. How did you get the passenger train out?—A. The foreman and some men had to go to work and put in water and fill it and started the fire. After this it was impossible to get an engine to do any work. I either applied to the master mechanic or somebody to give me an engine to do the work, and I was told that it was impossible to get one.

Q. Were his hands on the strike too?—A. Yes, sir; Mr. Wood has charge of all the shops.

Q. Did you not say that you had one engine in working order?—A. Yes; but that was the one that was ready for the passenger train.

Q. What hands did he have to do that?—A. I believe it was the roundhouse foreman and the general foreman.

Q. Had they any employes under them?—A. That I cannot say.

Q. Did you make any application to the civil authorities for assistance to prevent this damage to property? Did you go to the mayor of the town?—A. I talked to the sheriff two or three times about getting men.

Q. Do you not know that the law of Texas protects the property of corporations just as it does that of individuals, and that where a man is guilty of injuring personal property or destroying it he can be punished under the criminal law?—A. That was my understanding of the law.

Q. Why did you not go and make affidavit, so as to have process against these parties?—A. The master of transportation said that should have been done, and they tried to get protection for the property of the company. The sheriff summoned some men.

Q. Were any arrests made?—A. There were arrests made for trespass.

Q. Has Mr. Fox been arrested?—A. No, sir; he is on a hunting or fishing expedition, I think.

Q. Was any effort made by the railroad officials, by asking for protection or to have the law enforced, to prevent all this trouble?—A. Why, certainly; they had officers there before the strike was over. The deputy sheriffs came over there to protect the property, but it was several days after the beginning of the strike. Before the sheriffs came and tried to take possession of the shops again from the strikers, and during this time, I would state that Mr. Fox and another man, two Knights of Labor, came to me and asked me to place a couple of coaches, one in each end of the yard, for their men to occupy so that they could keep watch on the trains coming in and out. After that I saw they had the superintendent's car placed in position and a lot of men in there with their feet on his desk, spitting tobacco juice out of the windows. I went down and got two other coaches.

Q. So far as you know no affidavit was filed against any of these men for these depredations?—A. So far as I know there was not.

Q. You say that the sheriff and his deputies came there a few days after the strike originated?—A. I believe they did.

Q. How many deputies were there?—A. Quite a number of them. There were as many as eighteen or twenty at times, other times thirty or forty, and sometimes as high as sixty.

Q. Did these depredations still continue after the arrival of the deputies?—A. The engines and trains had been killed, and it was impossible to get any trains to run. There was a passenger engine blown out before anybody could get to it. There were parties that would slip round and blow them out right in the shops.

Q. What is the reason that the sheriffs did not arrest them?—A. That I cannot say.

Q. Were they strong enough in numbers to arrest them?—A. They did not seem to be.

Q. Was there any time when the sheriffs were sufficiently numerous to arrest the men who were injuring the engines?—A. If they had been we certainly should have arrested the first man we saw destroying property.

Q. You do not know the reason why they did not?—A. No, sir; I do not.

Q. How long after the arrival of the deputies there was it before the citizens came down?—A. That was four or five days, I believe, after the strike. On the 24th I decided that we would do some switching. We came out with the passenger engine, all other engines being broken up or killed in some way. The engine pulled out under guard of the sheriff himself, and I do not know how many deputies, and we walked down at the head of the engine and stopped at the tank. I gave the engineer a signal to come out, and beckoned to him, and a squad of about a hundred and fifty or two hundred men marched down there. I saw the sheriff warn them back and not to interfere with property. The engine kept coming on, and just before it got to the switch one of the strikers, and a Knight of Labor, came up and was standing right near the switch, and threw it back for the main track. If the engine had come on it would have derailed it. There would have been nothing to prevent the engine from running off, and it would ditch the engine. At that time there was another man there, and they held it back. The engineer could not reverse in time, so she came down off the track.

Q. Do you know the names of those parties?—A. Jack Goss and Jim Fenn.

Q. Where are they now?—A. They both left the country immediately afterwards. One of them came to me and told me he had violated the law and said he had better take a walk.

Q. Is he a married man?—A. Yes, sir.

Q. What became of his family?—A. His wife got his check for his time and came to

have it fixed, and asked me to go to Mr. Herrin and have it fixed. I told her that Mr. Herrin himself could not fix it so that she could get the money on it; and in a day or two afterwards she came back to get me to identify her, and I did so.

Q. What became of them?—A. I have not seen her since. On the morning of the 26th I went down to make another attempt with this engine to get up some coal for the passenger train. She had been taken back to the roundhouse by this mob and killed. The master mechanic told me that he had not anybody to repair her, nor to get the coal up with. And I had no hands to do coaling for the passenger train. The only reason that the master mechanic gave was that it was impossible to get men.

Q. Did you not employ anybody?—A. Not in coaling engines. That is out of my department.

Q. Did you attempt to employ anybody in your department?—A. To do work? I had nothing to do. The switchmen were under my employ.

Q. The engines were all killed?—A. Yes, sir; and there was nothing for me to work with.

Q. Why did you not get the master mechanic to get these engines in repair?—A. The reason why I did not ask him was because it was a generally known fact that the engines were so disabled that the pieces had to be found before they could run. On the 26th, when I made another attempt to work, a crowd of Knights of Labor came down and took possession of the train and mounted it and set brakes and tried to throw blocks under the engine; and finally they did ditch the engine on the side-track. It was pretty hard to switch under such circumstances, and I did not switch very long.

Q. Was that the last of the depredations?—A. That was the last attempt that I made. We had no yard-men until the 29th. That is when the citizens came down and took charge. That was the first time I had control of the Palestine yard, you might say, from the 5th. From the 6th to the 29th I was acting assistant yard-master for the Knights of Labor.

Q. What was the result of the citizens assembling there?—A. When the citizens and the deputy sheriffs came down and took possession of the yard we got some of the passenger engines out to do this work, and I put on two or three switch engines that day.

Q. Who repaired these engines?—A. I think it was the assistant master mechanic and Mr. Bouchard, the general foreman, that repaired these engines; and afterwards two more engines were fixed.

Q. It was the officials of the road, then, that did the repairing?—A. Yes, sir. After the deputy sheriffs and the citizens came down and took possession on the morning of the 29th I had no trouble running trains out of there. I began putting in pins and links that day, and shoving the cars together. Twenty-five draw-heads had been removed, over four hundred pins gone, wherever they could take slack on a car. Then draw-head keys were gone, and you cannot pull a car when the keys are gone.

Q. How did you get hands to do this work?—A. I put all the train-men in service as yard-men.

Q. The train-men did not go out on the strike, did they?—A. No, sir; they were ready to go to work and I put the train-men to hunting up links and pins.

Q. Did you resume the movement of trains?—A. I did, on the evening of the 29th and have been running them since then.

Q. What became of the strikers?—A. They have simply scattered.

Q. How many of them are left in Palestine?—A. If you were to go there and speak to the Knights of Labor I do not think you would find over twenty-five or thirty men have taken part in it.

Q. Have any of them applied to you for re-employment?—A. No, sir; because you see my department is the transportation department and it did not strike.

Q. Have they applied to the master mechanic?—A. That he can speak of.

Q. What is the estimated damage done by the strikers to the road?—A. That is too hard for me to answer.

Q. Approximately?—A. It was a big damage, but I do not know how much.

Q. Has there been any estimate made?—A. No. In making my report I gave how many links and pins had been lost. That came under my jurisdiction.

Q. Every official did the same in his department and a separate estimate was made?—A. Yes, sir.

Q. (By Mr. PARKER.) You are an engineer?—A. Yes, sir; I have been.

Q. Where did you serve your apprenticeship?—A. On the Texas Central road.

Q. What is the total number of engines killed in Palestine?—A. Do you mean killed in the yard and round-house in the Palestine yards? I think somewhere about thirty or thirty-seven. The master mechanic can give you the exact number; but I think it was thirty or thirty-seven.

Q. Who were these men who had tacked boycott notices up on the cars before the 6th of March?—A. They told me that they were Knights of Labor.

Q. And you gave the names of some of them?—A. Yes, sir.

Q. What was the reputation of Fox as being a Knight of Labor, or holding a position in that order?—A. He was chairman of a committee, or was at the head of it—was master workman of the assembly.

Q. Did the Knights of Labor recognize his authority?—A. Certainly. I saw him going through the shops when the strike came up and telling the men to lay down their tools; and they all obeyed him.

Q. During the strike did they recognize his authority and obey him?—A. Why, lots of times I would have to ask the question of them if we could do one thing or another. And the parties would say: "Do not ask me; go to Fox."

Q. You referred to the headquarters of the Knights of Labor. How was that situated as to the yard?—A. Well, it was probably sixty to a hundred yards from the yard. It was just one street from the yard. They used to get their men and state that they were prepared to prevent trains leaving there, and I have had men come down and tell me that they said that they would die on the track before a freight train should go out of Palestine yard.

Q. This building that opened almost into the yard was their headquarters and the gathering-place of the men to come down to the yard proper?—A. Yes, sir.

Q. (By Mr. BUCHANAN.) How long did this man Fox remain in charge of that yard?—A. Well, he did not post men round there until on the 5th, but on the 4th we had to do a little switching of the Texas and Pacific cars that had these boycott notices put on them. On the 5th he began telling me what I had to do, and on the 6th he told me he was boss, and I had to place trains under his direction.

Q. How long did he remain in possession?—A. I cannot say that; but the Knights of Labor kept possession until the 29th.

Q. And he with them?—A. He was with them.

Q. Then for twenty-three days after you had received these instructions from Fox as to what to do and not to do he remained in possession there?—A. Yes, sir.

Q. And, so far as you know, there were no steps taken against him by anybody?—A. So far as I know, there were not.

Q. You spoke of strikers and Knights of Labor in your testimony. You seemed to have used the terms as synonymous. Were there strikers that were not Knights of Labor?—A. Well, generally speaking, that I cannot tell. The most of the crowd that left the shops as the whistle blew went to the hall and returned from the hall.

Q. Do you know whether they were all members of the order or not?—A. I should judge so, by seeing them wearing the monogram "K. of L." on their coats. It was the understanding that the men were members of the order, because they received their orders from Mr. Fox and Mr. Marshall, who was a master workman of the assembly. It seemed that they had three assemblies. Mr. Fox had one, Mr. Marshall another, and Mr. Eika another. These were the three men that posted them, and were master workmen, I suppose.

Q. How many of these men that struck in Palestine have been received back into the employ of the company up to this day?—A. I cannot say; there are several of them back.

EDWARD J. BOUCHARD, sworn and examined.

By Mr. OUTHWAITE.

Question. You live at Palestine?—Answer. Yes, sir.

Q. And how long have you been in the employ of the Missouri Pacific Company?—A. Since August, 1881.

Q. Where?—A. At Denison until June, 1885.

Q. In what capacity?—A. As machinist and gang-foreman, and at Palestine as general foreman of the locomotive department. I was transferred there last June.

Q. Do you know anything about the fact as to whether the agreement of 1885 has been violated?—A. I do.

Q. So far as you know, was it violated in any way?—A. Not to my knowledge.

Q. Do you know whether the Knights of Labor called for your resignation at any time?—A. I do.

Q. What was the occasion?—A. They said that I had discharged some employes without cause; that I was a thief; that I was contemptible and overbearing, &c.; and had tried to override the master-mechanic, and other reasons.

Q. What steps did you take when these charges were made?—A. I was asked if I would appear before the Knights of Labor. I told them certainly I would; that I would do anything to prove that I was an honest man, and I and the master-mechanic appeared before them in their own room, and asked them for the charges. No one appeared against me to make any charges, and after some talk they concluded to drop it right there.

Q. The request for your resignation was then withdrawn?—A. Yes, sir.

Q. Where were you on the 6th of March?—A. I was in the shops in Palestine.

Q. What did you hear said was the cause for the strike?—A. At 10 o'clock in the morning of March 6th the whistle blew. It was something very unusual, and I started out to find the cause of it. I asked quite a number of men whom I knew were prominent men among the Knights of Labor what the cause was, and they told me that they did not know; that they were ordered to strike from headquarters.

Q. How soon after they went out did you hear any cause given?—A. Two or three days.

Q. And that was the discharge of a man named Hall?—A. Yes, sir.

Q. I will ask you if you have heard the general testimony of Mr. Fanning as to killing engines and stopping trains, &c.?—A. Yes, sir, I did.

Q. Are those the facts substantially as you observed them?—A. They are substantially the facts.

Q. Were any threats made to you?—A. Yes, sir; numerous.

Q. What were the threats made?—A. The first I met a man on the morning of the 7th, I believe. I had fired up an engine as the men had left there, and we had an order from the transportation department to get an engine ready. Myself and another foreman got the engine ready. One of the strikers came round and asked what the engine was fired up for. I told him we had orders to do so, and he told me, "We will make it your business." I said, "All right." In a few minutes a hundred and fifty men came there, mounted the engine, blew her out, and let the water out of the tank and came to me. The whole body was headed by this man Fox, and he told me: "Mr. Bouchard, you have got to quit this business, and if you fire up any more engines round here we will fix you." They wanted me to leave the premises, and threatened me if I did not leave.

Q. Do you know the names of any of these different committeemen?—A. I do. A few days afterwards I received a notice signed by K. F. Marshall, of the executive committee, with a request to leave the premises, and a statement that I had no business there, and they thought that affairs about that place could be run without my assistance.

Q. Where is that letter now?—A. It is in the possession of Mr. Herron.

Q. But you are asked the names of that committee?—A. Fox, Ellis, Rehart, Smith, Andrews, and one other, whom I have forgotten.

Q. Were you ever a Knight of Labor yourself?—A. Yes, sir; I was a year ago.

Q. When did you withdraw?—A. When they brought these charges against me I concluded to drop the business altogether. I did not withdraw, but concluded the best thing I could do was to have nothing more to do with it.

Q. (By the CHAIRMAN.) Were you not suspended for non-payment of dues?—A. Not to my knowledge.

Q. Do you remember the strike of March, 1885?—A. Yes, sir; I do.

Q. Were you a leader in that strike?—A. I do not know that I was a leader.

Q. Were you chairman of the executive committee?—A. No, sir; I was not chairman of the executive committee.

Q. (By Mr. OUTHWAITE.) You went out on that strike?—A. Oh, yes.

Q. (By the CHAIRMAN.) Were you not a member of the executive board?—A. I was a member of the executive committee.

Q. Did you go out on that strike because you had some grievances?—A. Because my wages had been reduced.

Q. Have those grievances been adjusted by the company?—A. Yes, sir; my wages were restored.

Q. Have these wages of the men been restored?—A. Yes, sir; to the best of my knowledge. I have not heard of any complaint.

Q. Has the agreement of the railroad been kept?—A. Yes, sir; to the best of my knowledge.

Q. I presume at the time you struck you made a list of grievances?—A. Yes, sir.

Q. Have they been adjusted?—A. Yes, sir; to the best of my knowledge.

Mr. OUTHWAITE. Look at that letter [exhibiting letter dated March 22, 1886, purporting to be from the local executive board of the Knights of Labor].

The WITNESS. That is the identical letter.

The letter was here introduced and read, as follows:

OFFICE OF LOCAL EXECUTIVE BOARD,
UNITY ASSEMBLY, KNIGHTS OF LABOR,
Palestine, Tex., March 22, 1886.

DEAR SIR: Taken in consideration that the Knights of Labor is now out on a strike and you yourself claim to be a member of the order, and as the company has seen fit to

suspend all other foremen, except the two round-house foremen, which is sufficient force to run only three passenger engines a day, we, therefore, beg leave to request you to remain out of the shops until the present trouble is satisfactorily settled to all concerned.
By order of Executive Board.

K. F. MARSHALL, *Chairman*.
F. M. JONES.
G. K. SMITH.
R. H. HARRIS.
F. SCHONAMAKER, *Secretary*.

Mr. E. J. BUSHART.

Q. (By the CHAIRMAN.) Do you know these men?—A. Yes, sir.

Q. Were they Knights of Labor?—A. I understood them to be Knights of Labor, and understand them to be Knights of Labor.

Q. Were they Knights of Labor on the 22d of March?—A. Yes, sir; I understand them to be Knights of Labor.

Mr. OUTHWAITE. When did you last attend a meeting of the order?

A. I think it was some time last May, a year ago.

PETER MCGEE sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Palestine, Tex.

Q. How long have you been in the employment of the Missouri Pacific Railroad Company?—A. Nine years.

Q. Are you working for that company now?—A. I worked for them until the 6th of March.

Q. Did you go out on a strike?—A. Yes, sir.

Q. Were you a Knight of Labor?—A. At that time I was.

Q. Had you any grievances for which you struck?—A. I do not know of them. All the grievances I knew of was in connection with the pay.

Q. Did you know of that grievance at the time you went out on a strike?—A. Well, yes; from the newspapers is what I knew of it.

Q. Were you satisfied with your wages?—A. Yes, sir.

Q. Had you any complaint to make of the conduct of the road toward you?—A. None at all.

Q. Do you know of any employé that struck that had a complaint?—A. No, sir; not that I know of.

Q. Did you hear about the September, 1884, rates not being lived up to by the company?—A. They had always been complied with according to the knowledge I had.

Q. Did you hear any complaint by any one who struck that they had not been complied with?—A. No, sir.

Q. Have you heard any prominent members of the order saying anything about any grievances or any cause for the strike on the Texas and Pacific line?—A. No, sir; I have not.

Q. Have you heard them say whether there were any other grievances?—A. No, sir; it was all connected with our pay.

Q. You have heard of no other reason?—A. No, sir.

Q. Have you heard any opinion as to whether the strike was a mistake or not?—A. Yes, sir.

Q. What was the usual language, that it was or was not a mistake?—A. It was that they believed emphatically that District Board 101 had made a mistake in calling these other lines out. That was the expression of the conservative portion of the order.

Q. What is the general opinion of the Knights of Labor as to getting back to work?—A. A good many of them would go back.

Q. Did you apply to be reinstated?—A. Yes, sir.

Q. Were you reinstated?—A. Yes, sir.

Q. Did you remain in the order after the company reinstated you?—A. No, sir.

Q. Why not?—A. I applied for a withdrawal card. They would not give one. At the next meeting they expelled me, with several others, for going to work.

Q. What else did they do?—A. They advertised us in the labor journals.

Q. In what way did they speak of you?—A. As being "scabs."

Q. Can you give me the name of any labor journal in which you are advertised as a "scab" for going back to work?—A. The one that is at Sedalia represented us as "scabs."

Q. What is its name?—A. The heading is "The Sedalia Journal."

Q. Did a committee ever visit you after returning to work?—A. Yes, sir.

Q. At night?—A. Yes, sir.

Q. Near what time?—A. After midnight.

Q. State the particulars of the interview?—A. I had gone to bed, and I heard somebody. My house is in the suburbs of the town. The gate, I suppose, is about a hundred yards away from the house, and I heard somebody halloo out my name two or three times. I went to the door and asked who that was in a loud voice, and they said, "Come out." I felt a little delicate about going out at that hour of the night. It was dark, at the time, and I did not know what the men wanted. They said: "Come along; we won't hurt you." I asked them again what they wanted. They said they came to see me and to request me to keep out of their shops. I told them that I had been out long enough, and I could not see any just reason for remaining out any longer. They said my going to work was the means of keeping them out. I told them that I did not think so. They then said, "You had better keep out of them shops." I said to them that I could not promise them that; so that when they saw they could do nothing with me they went away and said that the best thing for me to do was to keep out of the shops. The next morning I went to work, and I never have been troubled with them since.

Q. Do you know who the men were?—A. I could detect the voices. You see it was dark. I could not see their faces, but the voices I was familiar with.

Q. How did you come to apply for that withdrawal card?—A. Well, amongst the men that were members of the order no member, I supposed, could go to work without probably a little danger, so I thought if I withdrew from them I would be under no obligations. I applied for a withdrawal card, and it was refused.

Q. I am simply asking why you applied for it? Did you apply for it at the suggestion of any official of the company?—A. No, sir.

Q. Had any official of the company requested you to get it?—A. No request was made to me.

Q. Anythingsaid to you in any way about it being necessary for you to get a withdrawal card?—A. Well, I was advised by an officer that if he was me he would quit the order.

Q. Give me his words?—A. That was all.

Q. What did he say about the withdrawal card?—A. That is all that was said.

Q. I want all the conversation that relates to the withdrawal card?—A. That is all that was said as regards that.

Q. Who was that officer with whom that conversation occurred?—A. It was the master mechanic.

Q. Give me his name?—A. It was S. F. Wood.

Q. And this was at Palestine?—A. Yes, sir.

Q. Was it made a condition of your re-employment that you should withdraw from the Knights of Labor?—A. No; there was nothing said to the effect that I could not go back to work without withdrawing from the order, or anything like that.

Q. (By Mr. OUTHWAITE.) It was your own suggestion?—A. It was my own idea to withdraw under the circumstances.

Q. (By Mr. BUCHANAN.) You did it then of your own free-will?—A. Yes, sir.

Q. At the time you were expelled, were there any charges served upon you?—A. I was notified in writing to appear at the assembly for violating my obligation, and that was for going to work.

Q. Did you appear at that time?—A. No, sir.

Q. Was there any charge beside the charge of going to work?—A. No, sir; that is all.

Q. You say that you did not appear there at the time you were cited before the assembly. Did you make any written response?—A. Yes, sir; that is so.

Q. You and others?—A. Yes, sir.

Q. Have you got a copy of that?—A. No, sir.

Q. To whom was that sent? To the assembly?—A. Yes, sir. It was, as near as I can remember now: "In reply to the notice to appear, there having been charges preferred against us of going to work, we had gone there and had not found the business as we expected to find them and hoped to find them, and if going to work was violating our obligation, we plead guilty; but as regarding that violation we doubted it;" or something to that effect.

FRANK FANNING recalled and examined.

By the CHAIRMAN:

Question. (Exhibiting to witness a handbill.) Do you identify that as one of the circulars put up at Palestine?—Answer. I recognize it as one of the numerous circulars that were put out.

Q. How long was it after the strike originated before this circular was issued?—A. I do not remember.

The chairman then read the following circular, which was ordered to be made a part of the record:

SPECIAL NOTICE TO MERCHANTS AND SHIPPERS.

All merchants, business men, or persons having freight in cars now locked up in the Palestine yards, by reason of the pending strike, should at once apply to the proper railroad officials for permission to remove the goods, and, after the necessary permission is obtained, upon proof of same the Knights of Labor will assist in having the freight safely placed in their respective business houses or places of storage, free of charge for labor.

K. F. MARSHAL,

Master Workman, Unity Assembly, No. 3744.

A. FOX,

Master Workman, Victory Assembly, No. —.

CHAS. EIKA,

Master Workman, New Hope Assembly, No. 3745.

Q. Was it before business was resumed?—A. Yes, sir; that was before business was resumed.

Q. During the interval between the 6th of March and the resumption of business?—A. Yes, sir.

WILLIAM F. CONVERSE, sworn and examined.

By Mr. BUCHANAN:

Question. Do you reside at Palestine?—Answer. Yes, sir.

Q. Have you been in the employ of the Missouri Pacific Railroad Company?—A. Yes, sir; as a locomotive engineer.

Q. And have been since when?—A. Since 1875.

Q. Have you had any occasion to complain of your treatment by the company?—A. I have not.

Q. Have you ever served as a committee on local grievances to adjust differences between the company and the engineers?—A. I have.

Q. And what satisfaction has attended such attempt at adjustment?—A. I have always settled the differences satisfactorily to both sides.

Q. Did you see the methods employed to prevent the movement of trains during the late strike?—A. I did.

Q. Were those generally to take forcible possession of engines, forcing the water out of the boilers, and things of like character?—A. Yes, sir.

Q. Have you been upbraided or reproached for not joining in the strike?—A. I have.

Q. By whom?—A. By parties of the Knights of Labor.

Q. By parties who had struck?—A. Yes, sir.

Q. What was the character of the language used towards you?—A. They simply stated that they thought we were doing wrong as members of the laboring class.

Q. Were you waited upon by a committee of the Knights of Labor before this strike occurred?—A. We were.

Q. On how many occasions?—A. On two different occasions.

Q. What was the purpose of that committee stated to be that waited upon you?—A. They wished to ascertain what steps we would take as a body in case a strike was inaugurated by the Knights of Labor on the system.

Q. What information was given them in response to that request?—A. We gave them to understand that we had a contract with the company to live up to; that when we were called upon we would respond for duty.

Q. Have you any knowledge of any information given by any engineer to the Knights of Labor which would justify them in relying upon the co-operation of the engineers in the strike?—A. None whatever.

Q. Do you know anything about incompetent men being retained by the company?—A. Yes, sir.

Q. Please state in general terms what you know of it?—A. Well, I knew that there were one or two incompetent men in the service in the Palestine shops who were retained.

Q. Belonging to your organization?—A. Belonging to the Knights of Labor.

Q. You are a laboring man yourself?—A. Yes, sir.

Q. Are you not in sympathy with the cause of labor everywhere?—A. Yes, sir; as a matter of course.

Q. And in every movement to better its condition?—A. Yes, sir.

ROBERT W. GIBSON, sworn and examined.

By Mr. PARKER:

Question. You reside at Palestine?—Answer. Yes, sir; I do.

Q. Were you employed in March last by the Missouri Pacific Railroad Company? If so, in what capacity?—A. I was; as a passenger engineer.

Q. How long have you been in the employment of the company?—A. Since August, 1880.

Q. In what capacity?—A. In various capacities—foreman of the engineer department and engineer.

Q. What has been the treatment of yourself and other men by the company so far as you have known?—A. Myself entirely satisfactory.

Q. And as to other men, so far as you have known?—A. So far as I have known.

Q. Have you belonged to the local grievance committee of the engineers?—A. I have.

Q. And have had occasion to present grievances?—A. Yes, sir.

Q. Were they received in a reasonably satisfactory way?—A. In an entirely satisfactory way.

Q. During the strike was your engine interfered with?—A. Yes, sir; on two or three occasions.

Q. Describe the first occasion.—A. If I am correct, the first derailment was about the 24th of March.

Q. State the circumstances.—A. After my arrival at Palestine the engine was taken to the roundhouse, and it was afterward taken from the roundhouse for the purpose of switching in the yard. After moving round the track the switch was thrown directly in front of the engine and derailed it. The next time that she was derailed was on the 27th, I believe.

Q. Describe that.—A. They had taken the engine from the roundhouse, and the engine was derailed by placing obstructions on the track which threw her off the track.

Q. At those times was the engine otherwise killed than by being thrown from the track?—A. On both occasions she was afterward killed.

Q. Do you remember any other occasion of its being derailed?—A. There was not another occasion of its being derailed.

Q. Who was it that ran your engine off the track?—A. It was a man who had formerly been employed by the company—one of the strikers.

Q. Was he a Knight of Labor?—A. I presume he was.

Q. What was his name?—A. His name was Goss.

Q. Did you understand that he was a Knight of Labor, or had you any understanding about it?—A. I understand he was.

Q. Do you know his first name?—A. Jack.

Q. Are you a member of the Brotherhood of Locomotive Engineers?—A. I am.

Q. So far as you have knowledge, was there any encouragement given to the strike by your body, or members of it, previous to the strike?—A. There was no encouragement as to assistance and no definite understanding between us.

Q. Was there any promise of assistance?—A. No, sir.

Q. So far as an organization is concerned?—A. As an organization there was no promise given by the organization. I do not know whether there was any given by private members of the organization.

Q. So far as you have knowledge or information, was there any given by individuals of that order?—A. None at all.

Q. I suppose encouragement might have been given by individuals, upon their own responsibility, without your knowing it?—A. Possibly so, sir.

WILLIAM D. YOUNG sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you live, and what has been your employment during several years past?—Answer. I live in Palestine, Tex., and my employment is as an engineer in the passenger service.

Q. How have you found this company in regard to differences between the employes and the Missouri Pacific Company?—A. I have always found them willing to make concessions.

Q. How about arbitrating and settling differences?—A. I have never found any trouble in arbitrating differences with them.

Q. Do you know of any instances in which Knights of Labor took advantage of their being members of that order to neglect their duties?—A. Yes, sir; I think I do.

Q. State the facts briefly?—A. I can state the fact that employes that belonged to the Knights of Labor neglected their work a good deal more than they would have done under

other circumstances. Whether they took advantage of the organization or not I do not know.

Q. Did you ever hear them make any statement as to whether the company would dare to discharge them?—A. Yes, sir.

Q. What did they say?—A. They said that the company could not discharge them.

Q. What do you know about any trouble that occurred about the 1st of March, because an engine had been ordered to Denison for some light repairs?—A. I know that the order was given for the engine to go there, and that they objected to the engine going.

Q. Who objected to its going?—A. Well, I do not know that I can state what particular member it was.

Q. What character of men objected?—A. The body of men known as Knights of Labor.

Q. Was the engine sent away or was it retained at their request?—A. The engine was retained at Palestine.

Q. Do you know of the discharge of a man named Banes?—A. I do not know that Banes was ever discharged.

Q. Was there any talk of his being discharged?—A. That was the report.

Q. Do you know of any conversation as to his retention being demanded by the Knights of Labor?—A. I was told by the master workman of one of the assemblies, Mr. Fox, that the company had threatened, or had discharged Banes, from the fact that he was a member of the Knights of Labor, and that they were going to force the company to reinstate him.

Q. Was that the man named A. Fox, master workman of Victoria Assembly?—A. Yes, sir.

Q. Well, what was the result of that action of the Knights of Labor? Was Mr. Banes discharged, or was he retained?—A. I think the matter was settled by Mr. Herrin. I had a conversation with Mr. Fox and Mr. Banes, in order to have a settlement, and I told Fox that I thought it would be a more fair proposition to accept the proposition to put Banes with some other conductor or another division.

Q. What did Fox say to that?—A. He said he would use his influence in the assembly to have that done.

Q. Do you know whether it was done?—A. I do not know.

Q. What do you know about members of the order demanding that the pay-car be kept there, so that they could get their pay out of the company's time at Palestine?—A. They did make a demand of that character.

Q. With what results?—A. The pay-car was held over and left Palestine about four hours later than it should have left.

Q. The reason they stated was that they were not willing to get their pay in their own time?—A. They did not wish to get their money after they had stopped work; that the time lost in getting the money should come from the company's time.

Q. Do you know of any men who were not capable of earning the wages that they did receive of the company being retained simply to avoid difficulties between the company and the Knights of Labor?—A. I know of one there—Marshall.

Q. Was this man Marshall the K. F. Marshall, master workman of Unity Assembly?—A. Yes, sir.

Q. You say he was not fully qualified?—A. I did not regard him as a mechanic.

Q. Was he getting the wages of a mechanic?—A. I suppose so.

Q. Where was he employed?—A. He was employed on the passenger repair service. On locomotives at Palestine.

Q. For how long a time?—A. I cannot tell you. For several months; probably a year.

Q. What do you know about any engineers being threatened if they attempted to run trains?—A. Well, I do not know anything except what I have heard. No one told me anything about it. Only the current conversation.

Q. That would not be competent unless it was current conversation among the Knights of Labor which you heard.—A. I saw letters of intimidation. I do not know who the letter was written by, or whether it was written by a Knight of Labor or not.

Q. Do you know anything about threats being made to "doap" the tanks if the engineers went out?—A. That was the report.

Q. From whom did you hear this report?—A. I cannot say.

Q. Were you at Palestine at the time the strikers went out?—A. Yes, sir.

Q. What reason was given by them for going out?—A. I could not find that out.

Q. Did you hear anything said about the reason?—A. No, sir. I was talking to this man Fox about fifteen minutes, or probably half an hour, previous to the time that they walked out. I asked him how everything was getting along, and he said everything was going on all right. I walked over to Mr. Harris's office and Mr. Harris asked me if I had heard anything new, and I told him that Fox said the strike would be over without any trouble; that they would be able to adjust the matter on the Texas and Pacific.

Q. You speak of trouble and adjusting the matter; what trouble and what matter?—A. I do not know; there seemed to be some trouble.

Q. What were you and Mr. Fox talking about at that time?—A. About the trouble between the employes and the Texas and Pacific.

Q. That was what you were talking about?—A. Yes, sir.

Q. (By Mr. PARKER.) Was this man Banes considered an incompetent man?—A. Yes, sir.

Q. (By the CHAIRMAN.) By whom was he considered incompetent?—A. He was considered incompetent by the conductor he was running with.

Q. You say that you considered him incompetent?—A. No, sir; I did not say that I considered him incompetent.

Q. Whom did you say that you considered incompetent?—A. Marshall was the man whom I said I considered incompetent.

Q. Was Marshall a locomotive engineer?—A. No, sir.

Q. Did you say he was running an engine?—A. Marshall? No, sir. He was working on engine repairs.

JOHN KIMBROUGH sworn and examined.

By Mr. BUCHANAN:

Question. Were you employed by the Missouri Pacific road at Palestine, Tex., during the late strike?—Answer. Yes, sir.

Q. Did you suffer any personal violence during that strike?—A. Yes, sir.

Q. What was it?—A. On the 26th I was called to go on my engine and do some switching. There was a body of men, termed strikers, came round the engine and got on to the tank and into the cab. One got hold of me and tried to pull me off my seat. There was another struck me in the collar with a billy. There were so many of them they covered the engine and cut it off below and blew it out.

Q. Do you know some of the men?—A. I know some of them.

Q. Do you know the man who struck you with a billy on the 24th?—A. I do.

Q. I am requested to ask do you know whether these men were Knights of Labor?—

A. I heard them say they were Knights of Labor.

Q. Do you know it of your own personal knowledge?—A. I do not.

Q. I am requested to ask further, did you hear those men that led the others to pull you off the engine say that they were themselves Knights of Labor?—A. I did.

Q. Had you any knowledge of your own further than that?—A. I had no knowledge of my own further than that.

Q. Did you take any steps to have any of them arrested for that violence?—A. No, sir.

Q. Why did you not?—A. Because I did not think I had any right or business to.

Q. But if a man assaults you, is it not your business?—A. I do not know the party's name who struck me, and the others, I did not bother them because they only took from me the reverse lever and throttle and threw me aside. They did not strike me as he did.

Q. Have threats been made against you?—A. There have. The man that threw the switch on the 24th came to me that night and said if I did not stop using that engine they would make me.

Q. What was his name?—A. Jack Goss. He is a switchman in the yard.

SAMUEL F. WOOD sworn and examined.

By the CHAIRMAN:

Question. Were you an employé of the Missouri Pacific system when the strike of March 6 took place?—Answer. Yes, sir.

Q. What position did you fill?—A. I was assistant master mechanic.

Q. You have heard the testimony of Mr. Fanning and the others who have testified in regard to the damage done to the engines, and the general depredations there. What have you to say about those statements?—A. I have to say that they are substantially correct, except as to the number of engines. There were just twenty-seven engines disabled at Palestine by parts of them being taken away and hid and taken off.

Q. So that the engines could not be used?—A. So that they could not be used.

Q. Were the parts all taken away at one time or at different times?—A. At different times.

Q. As the engines came into the yard, I suppose?—A. Yes, sir.

Q. Was any violence used to you?—A. No, sir.

Q. Did you seek to employ men to fill the places of those who had struck?—A. Yes, sir.

Q. Did you succeed?—A. We succeeded in a few instances.

Q. Did you succeed entirely?—A. No, sir.

Q. Why?—A. Men were afraid to work.

Q. What were they afraid of?—A. I suppose they were afraid of violence. They told me they were.

Q. Did you witness any acts of intimidation or violence?—A. I saw different parties round after the employes that we had at work. They would not go near them while I was there.

Q. What did you see?—A. I saw them talking to them.

Q. Did you see them attempt any acts of violence or hear them make any threats?—A. No, sir.

Q. Did you hear them make any threats?—A. I had parties afterwards come and tell men they would injure them if they kept on working.

Q. Did those parties work?—A. Not afterwards, except in one case. One man continued to work.

Q. Did any men attempt to secure employment under you after the strike?—A. Yes, sir.

Q. Did you ask them whether they were Knights of Labor?—A. I knew they were Knights of Labor without asking them.

Q. Did you make it a condition-precendent to their employment that they should withdraw from the Knights of Labor?—A. No, sir.

Q. In no instance?—A. In no instance.

Q. Did you employ them?—A. Yes, sir; some of them.

Q. Why were some employed and others rejected?—A. Simply because one reason was that I had no use for them, and another reason was that some of them had been connected with acts of violence and had damaged the company's property.

Q. Was that the only discrimination you made?—A. Only as to numbers. We could not employ as many men as we had previous to the strike, because we had not work for them.

Q. To your knowledge was it suggested to any of these parties applying for employment that they could get it provided they withdrew from the Knights of Labor?—A. I will state exactly what I told them. They were old employes, and when they came back I asked them this question: "If they had not got along as well before joining the Knights of Labor as since?" They all said: "Much better." That was the sum and substance of my conversation with them as far as the Knights were concerned.

Q. You mean that was the sum and substance of the entire conversation?—A. That was the sum and substance as far as the conversation about the Knights was concerned.

WILLIAM H. BOYD sworn and examined.

By the CHAIRMAN:

Q. Question. What position do you hold on the Missouri Pacific Railroad Company?—Answer. I am master of transportation.

Q. You are a superior officer of Mr. Fanning?—A. Yes, sir.

Q. You have heard the testimony of Mr. Fanning and others in regard to the depredations committed on the property of the company during the existence of the strike. State whether or not, as far as your personal knowledge extends, these statements are correct?—A. Yes, sir; they are.

Q. Have you anything to add to those statements on the subject of these depredations?—A. No, sir; I believe his statement covers all.

Q. Do you know the cause of the strike?—A. No, sir.

Q. Do you know from the statements made by the Knights of Labor in your presence what was the cause of the strike?—A. No, sir; I never heard that they had any grievances.

Q. Had you power to employ men in your department?—A. Yes, sir.

Q. Were there any applications for employment after the strike began?—A. I cannot remember that there were. During the strike we had nothing to do. The freight trains were not running and all our freight men were idle, and of course it was useless to employ other men.

Q. I understand Mr. Fanning to mean that your department did not strike?—A. No, sir; they did not strike.

Q. Consequently you had no reason for employing new men?—A. None whatever. Not until we resumed business.

Q. When you resumed business did your old hands resume their duties?—A. Yes, sir.

JOHN G. WAPLES sworn and examined.

By the CHAIRMAN:

Question. Do you live in Denison?—Answer. Yes, sir.

Q. Are you engaged in business?—A. I am.

Q. How long have you been engaged in business in Denison?—A. Ever since I came here, I believe; ten years ago in June.

Q. Did your business sustain any damage from the strike?—A. That is a very hard question to answer. I do not know that my business suffered more than that I was unable to get any cars in. Business was so paralyzed that I did not get any in.

Q. Then your business must have suffered?—A. In that sense, yes, sir.

Q. What was the extent of your business in a year, speaking approximately?—A. I do not know how you would want that answered. It varies one year with another. This year, on account of local causes, our business has been lighter than in the past.

Q. What effect has the strike had upon business generally here?—A. Well, it necessarily depressed business very much. This town is largely dependent upon the trade of the men who work for the railroad here, and the money that is disbursed by the company. A large number of men are employed by the Missouri Pacific Railroad, and when you stop that money you necessarily instantly depress the business of the town and country. A good deal of our trade is a jobbing trade, which was entirely paralyzed during that time, except so far as it could be done by express. Of that Mr. Hanna can tell you, as he is in that line of business.

Q. Do you know anything about the cause of the strike?—A. I know nothing about the cause that led to it except from hearsay.

Q. Did you hear any man who is a Knight of Labor state what the cause or causes were?—A. I have heard them in conversations at different times say what it was.

Q. What did they say?—A. They said different things at different times and different periods of the strike.

Q. What did they first say?—A. The first day or two after the strike I asked several of them what it was all for, and they simply said they were ordered to strike, and that it was begun on the Texas and Pacific. I asked a number of them if they had any grievances here, and they said they had nothing to complain of here; but that they were compelled to obey orders.

Q. What did they say next time?—A. Well, the other conversations they spoke of it arising at other places and at different points, and spoke of a list of grievances that were presented to Mr. Hoxie by what is called the Martin Irons committee; and there were discussions upon this, and they said that the compact of May, 1885, had been steadily and constantly violated by the railroad company in a way that outsiders knew nothing about and could know nothing about, and that several protests had gone up to the administration and no attention had been paid to them.

Q. Did you assist in the suppression of disorder?—A. I did not, sir.

Q. Did you witness any of the occurrences at the yards of the railroad company?—A. As a rule I carefully avoided being present. I was there one time for a few minutes and saw a crowd assembled around an engine that the company were trying to use to switch a coal car. The crowd at that time was orderly, except in speech. I heard the attorney of the road making a speech from the head of the engine and heard him announcing that any who did any damage to that engine would be punished. The engine would go on and do the work, and they were going to do it regardless of any effort that might be made to stop them, and he warned the men that they would be arrested and taken before the district court for contempt. The engine was ready, and so far as I know it proceeded to do the switching.

Q. What is the name of the attorney?—A. Mr. R. C. Foster.

SAMUEL HANNA sworn and examined.

By Mr. PARKER:

Question. You have resided here how long?—Answer. Nearly fourteen years.

Q. You are mayor of the city now?—A. Yes, sir.

Q. Your present term commenced when?—A. I was elected on the second Tuesday in April.

Q. Where were you on the 1st of March last and during that month?—A. I was connected with the grocery business and at my place of business.

Q. You were here in the city then?—A. Yes, sir.

Q. You may state the general nature of your business.—A. Our business is wholesale grocery and provision business.

Q. And your place of business is on the principal street and near the railroad crossing?—A. Yes, sir; our place of business fronts Main street, and a side track runs right along the store right immediately on the switch.

Q. Where were you on the 6th of March?—A. I was at my place of business.

Q. You remember the commencement of the strike here?—A. I recollect when the whistle blew.

Q. Previous to that time had you any notice, official or otherwise, that there would be a strike?—A. We had notice from the railroad company—I think it was on the morning of the 6th—that if we had any freight we wished got out that day we had better get it as early in the morning as possible.

Q. Except that, had you any notice or suggestion that there was to be a strike or had been?—A. We had. I do not know that we had, but one of the boys told me that the freight agent told him that they were apprehending a strike. That was the day before. We had seen, however, what had happened at other points, getting it from the newspapers, and there seemed to be a feeling of apprehension that we would have a strike.

Q. Excepting that, was there any notice or suggestion of a strike?—A. No, sir.

Q. Did the parties who ordered or took part in the strike give you any notice?—A. No, sir; not to us.

Q. Previous to the 6th of March you had heard reports of labor troubles upon this system for a day or two?—A. Yes, sir; we saw that mainly in the papers.

Q. Describe the strike as it began and developed here, in your own way.—A. After the whistle blew a man who works in one of the departments came along by our place and remarked, "We have all gone out," or "We have all struck."

Q. Was anything said as to the cause or reason?—A. No, sir. And from that time on from noon of that day we did not deliver any more freight to the railroad company for some time. We noticed that the switch crews ceased work in the yard and the strike went on. There was nothing we could see of the strike except the cessation of business and the congregation of men in knots on the streets. I am not certain, but I think that thing continued until about the week following. I think it was on the Monday that notices were served by the sheriff. Mr. Foster, I think, made a speech, standing on the engine right at this railroad crossing and read an order of the court. He notified the men that if they disobeyed that injunction they would be transgressing the law, and if they came upon the railroad property they would be in contempt of court. He made them a speech and gave notice that they intended to switch some cars, which they proceeded to do.

Q. Did trains commence running then?—A. No, sir; only that afternoon. I am not positive as to the number of days it was until they made another trial. I think it was probably three or four days afterward that they made a trial and started a train.

Q. How long was this period that the railroad did no business here?—A. They quit receiving freight on the morning of the 6th, and I do not think that we got out any freight until about the first of last month. I will not be positive as to the time.

Q. No freight was taken away from here from about the 6th of March until the last of March?—A. Yes, sir; that is about it.

Q. Was there military assistance required here at any time?—A. Not until after trains began moving, is my recollection.

Q. What military had you then?—A. Well, I did not think you meant after the trains began to move.

Q. Was any militia company ever called out?—A. There was a militia company here when trains began moving.

Q. Previous to that had the citizens, acting as a sheriff's posse or otherwise, given any assistance in the moving of trains?—A. Only in the capacity of special police that the mayor had sworn in after these injunction notices were served. The sheriff had a posse of his own that he brought here with him and the militia that we had until after the trains began to move.

Q. Had you any personal knowledge as to obtaining of this injunction?—A. No, sir; I knew nothing of it until the papers were being served by the sheriff.

Q. Had you personal knowledge or did you witness the sheriff and the men under him preventing interference with engines and trains?—A. I saw the sheriff one day, I think it was the second after the reading of the injunction. A few days afterwards they undertook, as I understand it, to make up some trains.

Q. About when was that?—A. Probably a week after the injunction.

Q. And about what part of the month?—A. About the middle of March.

Q. What is the sheriff's name?—A. E. D. Douglas.

Q. You saw an effort made by himself and the men under him to resume business here. You may describe what you saw of it.—A. The first that I saw was the swift engine that ran in the yard was standing at this crossing. It had been rumored that the company were going to make an effort to start trains and do some work in the yard; and, therefore, there was a large crowd gathered around the engine. I could not see very distinctly what was going on, but I saw enough of the crowd to know that it was a very good-sized crowd. I saw Mr. Douglas, and noticed the men who were on the outside

were pushing up as if they were going to get on the track where the engine was standing. Mr. Douglass and one or two of his deputies were standing along the line of the track. I saw him reach his hand over the crowd and take hold of one man by the shoulder and march him down this block, and then go on and get another until he had got about five, and he turned them over to his deputies making the remark, "take care of him."

Q. What next occurred?—A. When they took out about five of the men the crowd dispersed.

Q. What was done with the engine?—A. The engineer took hold of it and went to switching cars.

Q. About how many were there in the crowd that were pressing up to the engine and on to the track?—A. There were about three or four hundred men.

Q. About what was the number of the strikers at this place?—A. I could not give any positive statement as to that, as I have no knowledge about it.

Q. You may state what it was from the general information you received.—A. I have heard it variously estimated at from 150 to 175 men.

Q. After this exercise of force by the authorities was there any further disturbance here?—A. There was a little disturbance. I am not quite certain as to when it took place, but in a day or two, in my opinion, there was an attempt made to kill an engine on the track. That is a term the railroad men use. I did not see that and only heard of it.

Q. You simply understand that an engine was killed there?—A. An attempt to kill.

Q. But that it failed?—A. Yes sir.

Q. Was there any organization of the citizens to protect property here?—A. Well, I do not know that there was any organization.

Q. Was there any use or public exposure of fire-arms?—A. I did not see that there was anything of that kind. The only public exposure of arms was in the hands of the special police that had been deputized by the mayor or the sheriff's deputies.

Q. About what number of men were armed in that way?—A. I think our regular police, which I believe number six or eight men, and then I believe there were twelve or fifteen special police. I do not know the number of deputies the sheriff had.

Q. If there is anything else in connection with the strike which you desire to state you may give it.—A. I have stated the general facts so far as my knowledge goes. I will state the effect on the business of the town. Our business was very much disturbed and seriously affected. There were from the 6th of March until the latter part of the month, about twenty-five days, that we had no shipment of goods except by express. We had to supply our customers as far as we were able, paying the difference between regular freight and express out of our own pockets, which, of course, was a loss to us.

Q. You supply a good many goods to the country around here, and also some to the Indian Territory?—A. Yes, sir; our trade extends about 150 miles, from Muskogee on the road in the Territory and away down on the Southeastern road; out as far as Benton on the Fort Worth road, and out to Gainesville we ship extensively, and there ship by wagon.

Q. And all of these points that you mention are served by this road?—A. Yes, sir; and we have connection with the Texas and Pacific, reaching out to other places.

Q. Were the same difficulties experienced in obtaining goods during that suspension of business?—A. We had no way of receiving goods by the Missouri Pacific system. We got goods by the Texas Central. We had a number of goods shipped from New Orleans and up by the Texas Central.

Q. This applied to all classes of business, I suppose?—A. Yes, sir. Another cause for the depression in business, in addition to what I have stated, there seemed to be a general uneasiness and lack of confidence, as we did not know what would happen; and there was a feeling of dread and apprehension; and men who had money did not spend it.

Q. About how many people did you say there were in that crowd about the engine at the time of the raid by the sheriff?—A. Between three and four hundred.

Q. And how many of them would you judge were strikers?—A. Well, I would have no way of knowing; I cannot call by name twenty of these shop men. There were a great many trainmen and engineers and people of that kind that I saw, and citizens generally.

Q. What did they appear to be doing?—A. They appeared to be standing around, looking to see what was going to happen, a great many of them.

Q. Then there were not very many engaged in active opposition to the handling of the engine or to the authorities?—A. I cannot say positively. My position was on the outside of the crowd. I could not see distinctly what was going on right immediately on the line of the road.

Q. Was it the fact that when the citizens and the authorities under the sheriff took hold of this disturbance of the business and opposition of the strikers resolutely, that it was immediately stopped?—A. During a public meeting I think we had that day Mr. Foster made his speech. I think we had a meeting before he made his speech from the engine

and some resolutions were passed, pledging the people of the town to support law and order, and I think it was the next day that most of the leading representative houses of the city sent a telegram to Mr. Hoxie asking him to hold out and pledging ourselves to the support of law and order. I have not got the actual wording, but that was about it.

Q. And then this effort to move engines and trains followed?—A. Yes, sir.

Q. And then the opposition to moving trains was made?—A. Yes, sir; so far as my information goes. These things came right along one after the other.

Q. Was there more than one citizens' meeting?—A. No, sir; only the one when the telegram that I spoke of was sent. I should say that that was not sent by the meeting.

Q. That was independent action, and an individual sent it. The resolutions that were passed by the meeting, were they substantially that you would sustain law and order?—A. Yes, sir; we pledged ourselves to law and order, and to do everything in our power to sustain it.

Q. And you stopped there?—A. That was the resolution. But the telegram was sent afterward.

Q. This is a copy of the telegram that you refer to?—A. Yes, sir; this is a copy of it. The Chairman then read the telegram, as follows:

DENISON, TEX., March 18.

To H. M. HOXIE, *First Vice-President Missouri Pacific Railway and leased lines, Saint Louis*:

The authentic sentiment of the business men of this community in the present contest between the railroads and the strikers is that the railroads are unquestionably right, and that to yield to the unreasonable demands of the strikers would be a public calamity, as it would be a virtual surrender of the rights of property. There is no stopping-place between the present position of the Knights of Labor and communism, and we hope the railroads will stand firm and let the question be settled once for all. Public sentiment is growing stronger and bolder in its condemnation of the present lawlessness every day.

W. B. Munson, Hanna, Platter & Waples, Edward Perry, J. B. McDougall, L. Price, Eppstein & Westheimer, M. C. White, J. W. Blassingame, A. R. Collins, J. H. Porter, Meredith & Wright, E. F. Wallace, J. T. Munson, L. Jones, W. C. Tignor, J. C. Feild, Fox & Carey, G. Burgower, F. Muller, Louis Lebrecht, Geo. Braun, J. A. Hoegelin, T. V. Munson, Chas. K. Ledrick, Owen McCarthy, Daniel Webster, W. J. Hughes, J. H. Nolan, Waterman, Star & Co., J. N. Johnson, J. Weisman & Co., W. Saeger, I. M. Standifer, Guiteau & Waldron, Levi Lingo, G. L. Giersa, Leeper, Lingo & Co., T. B. Hanna & Son, Ed. F. Radeleff, D. White, A. Morrison, F. M. Robinson, Brooks & Harris, John Haven, E. T. Hathaway, Lee & Perry, W. N. Harben, Ed. Zintgraff, O'Dair, McConnell & Co., Joseph Schott, R. M. King, W. T. Cutler, Slutzky & Paltrovitch, M. H. Sherburne, D. A. Cook, J. A. Wilkinson, J. P. Marsh.

Q. (By Mr. PARKER.) If there is any other matter that you would like to call attention to you may do so.—A. I think I have stated all I know.

Q. (By Mr. BUCHANAN.) From what States are your supplies drawn?—A. We draw our supplies from almost all over the country.

Q. From the different States in the Union?—A. Yes; from Maine to California.

Q. (By the CHAIRMAN.) How long had the strike been in operation before the first arrests were made?—A. I do not know exactly, sir.

Q. About how long?—A. About four or five days; may be a week.

Q. Were there any arrests made before the citizens were organized?—A. You mean were there any arrests made before we sent this telegram?

Q. It is suggested that perhaps you may be mistaken about the time that elapsed before the arrests were made. It is suggested to me that thirty days may have elapsed here before arrests were made.—A. I do not think that that length of time could have elapsed.

Q. A representative of the Rights of Labor suggests that perhaps you might be in error, and requests me to call your attention to that fact.—A. I have no data with me, but I do not think it could be that long. The strike commenced on the 6th of March, and the movement of trains, I am satisfied, was not that long; I am not positive about the time, but I am positive it was not thirty days from the beginning of the strike; I don't think it could have been more than a week, but I have no data and I do not keep dates clearly.

ELDRIDGE G. DOUGLAS sworn and examined.

By the CHAIRMAN:

Question. You are sheriff and were sheriff on the 6th day of March?—Answer. Yes, sir.

Q. Please state what you know about the strike on the railroad.—A. I can only state

what I did as an officer, and what I was called upon to do. In the first place I was called upon to come over here to serve some writs of injunction by the attorney of the Missouri Pacific Road, Col. R. C. Foster. I received the writs on the 14th, and came over on that day and served a few, and for a day or two. I served them all along for a week or ten days, or may be longer, as I could find the men. After serving quite a number I was informed that they would undertake some switching.

Q. What were those writs?—A. Writs enjoining the men not to interfere in any manner with the Missouri Pacific Railroad Company, or going on the ground.

Q. Did you serve those writs as sheriff or deputy United States marshal?—A. I served them as sheriff; they were from the district court of this district.

Q. And they were to enjoin and restrain the men who were named in the writs from interfering with the progress of the company's business.—A. Yes, sir; or going upon the grounds of the railroad system.

Q. (By Mr. OUTHWAITE.) You may state what action you took, and what response, if any, was made in your own way.—A. The first attempt that was made—I do not remember the day, perhaps two or three days after the serving of the injunction—the railroad authorities informed me that they wanted to do some switching in the yard and wanted me to be on hand. I went to the crossing on Maine street where it was proposed to be done, and an engine was standing there. Colonel Foster, the attorney of the road, got up and made the men a speech, warning them if they interfered it would be in violation of the injunction, and would make them liable, and after that I got up and read the names of the men whose names were in one of these injunction writs.

Q. Had you served them personally before that time?—A. I had served quite a number of them, and after that we backed the engine up, coupled it on and started it out. The only interference I saw was that they crowded up, but no demonstration was made of any kind except handing a note to the engineer by a gentleman that I noticed. I do not know what it contained.

Q. No effort was made to take the engineer off the engine at that time or to kill the engine?—A. Not at that time that I know of.

Q. After that day did you see any efforts of that kind yourself?—A. We went ahead and did the switching that day. I came over here a day or two after, and in the mean time I had summoned a posse of citizens and brought them over here.

Q. About how many?—A. I think I had in my posse perhaps about fourteen or fifteen men. At any rate somewhere from twelve to fifteen. I received information that there was a demonstration on the part of the strikers to interfere with the engine. We repaired to the round-house, where I supposed it was, and there was nothing there. I came up the track, and noticed a crowd of men were advancing on the switch engine that was backed up in the yard. I rushed up to the crowd and got between them and the engine and ordered them to disperse. They refused to do so and the engine kept backing up until we got near the crossing in this street. Then they refused to go, and I commenced arresting, and I arrested five men. After arresting that number of men there was an old gentleman that I knew well led the crowd off and left. We had about ten men. The crowd followed the old gentleman.

Q. Did you personally arrest these men?—A. I think I arrested three of them.

Q. What did you do with the men?—A. We charged them with contempt of court, and also with encouraging riot.

Q. Where were they taken?—A. Before a justice of the peace. Well, I say they were taken there; I went back to where my men were. I had rather a wild lot of men. They were a fearless lot of men, and I was afraid that they would get into some trouble, and I went back to keep them down, and to keep them from any rash acts.

Q. Were these men you had in your posse citizens of the county?—A. They were, sir.

Q. Tell of any further acts connected with the strike you saw.—A. Well, sir, the next day after this, to the best of my recollection, I was keeping my posse from the ground at the hotel, and I happened to be over at the passenger depot, and walking back towards the crossing I saw water and steam flying considerably. It rather excited me. I thought the engine was going to blow up. I saw a couple of men jump off, and my first impression was that they were the engineer and fireman, but looking still at the engine I saw the engineer in his place, but knew there was something wrong. I took after one of the men, and after running a distance of perhaps 300 yards, and a gentleman heading them off for me, I got them and brought them back and held them in jail, and then went and arrested the other men.

Q. Did you see anything further at a later day?—A. No further damage that I remember of from that on. I kept a guard on, and remained about the yard-house myself for a good while; I cannot remember the number of days.

Q. Were the five men you arrested tried for the offenses they were charged with?—A. For interfering with this engine that I spoke of, that was switching the train, we charged them with a felony, and they are now under bond for their appearance at the next term of the court.

Q. Do you allude to the five men?—A. I mean the men that boarded the engine.

Q. What about the five men that you arrested, what became of them?—A. There were two of them who were imprisoned by the district judge for contempt of court; and there was one case dismissed. One has left the country, and one case has not been finally disposed of, that I know of.

Q. The one that left the country was finally admitted to bail?—A. He was admitted to bail and forfeited his bond; but the final forfeiture has never been taken.

Mr. OUTHWAITE. He forfeits his bond if he does not appear.

Q. (By Mr. BUCHANAN.) How long did you remain here with your posse?—A. I cannot remember the exact day that I came here, but the posse must have been here 27 or 28 days.

Q. At the expense of the county?—A. The railroad company, I presume, paid the expense. I do not know of any provision for paying them by the county.

Q. They remained that length of time because in your judgment their presence was necessary?—A. Yes, sir; and the judgment of the company.

Q. (By the CHAIRMAN.) When you served the writs of injunction, what was said by the parties on whom they were served?—A. There were numerous remarks made about them. Some were that they were not worth a damn, but they would take them; and one of them refused to take it, and threw it down.

Q. Were not all the parties armed?—A. I never found arms upon any of them. Some of them had sticks, but there were no arms that I saw at all.

Q. Is it true that some of the Knights of Labor brought others of their fellow Knights against whom you had writs of injunction, to introduce them to you, so that you might serve the writs upon them?—A. It is. I can state that I went to the roundhouse when they were in the office of the roundhouse. I went there and served these writs and knew but very few of the men that were in the crowd. I met one of the principal men that I had seen before, and knew very well, and he asked me if there was anything he could do for me. I told him that I had a lot of writs there to serve on the men, that I knew but very few of them, and that of course the sooner I could get them served the sooner I could get away; and he said "all right; I will assist you." He assisted me. I called out the names of the men, and I suppose thirty or forty of them came up and got the papers.

SAMUEL HANNA recalled and examined.

By the CHAIRMAN:

Question. When you gave your testimony you could not furnish some dates; if you have them now you may state them.

The WITNESS. The date on which the injunction was served was the 14th of March; the date on which the arrests were made was the 23d, and the company commenced receiving freight on the 31st. That is the date of the first bills of lading that we have.

The CHAIRMAN (showing witness a copy of the "Sunday Gazette" of March 21st, and calling his attention to an account of a public meeting held in the town). Is that a correct account of the proceedings of that public meeting?—Answer. Yes, sir; it is, so far as I have read.

The report of the meeting was as follows:

"Pursuant to a call signed by a large number of citizens published in the Morning News, a mass meeting was held at the Opera House at 10 o'clock, to give expression to public sentiment, relating to the existing trouble between the Missouri Pacific Railway Company and their employes. The number present has been estimated all the way from one thousand to fifteen hundred. Mr. Lebrecht called the meeting to order and read the call. On motion of Mr. W. B. Munson, Mr. Sam. Hanna was chosen chairman and Judge S. A. Gilbert was selected secretary. Mr. Murray moved that a committee of five be appointed by the chair to prepare resolutions expressive of the sense of the meeting, which was adopted. The chair appointed B. C. Murray, W. B. Munson, L. Lebrecht, John T. Hogg, John G. Waples as such committee. On motion of Top West, Mr. H. Tone was added to the committee. On motion of Mr. W. A. Tibbs, J. G. West was also added.

"The committee retired and in a short time reported the following resolution:

"Resolved, That we, the citizens of Denison, here assembled, do deeply deplore the present difficulty; and while we do not propose to advise, or object to the course of either of the parties to the present conflict, when their action is limited to legal and peaceful means, we feel it our duty as citizens to discourage every violation of law from whatever source, and to pledge our most hearty co-operation, with the legal authorities, in preserving order and in vindicating the dignity of the law, feeling that all citizens are alike interested in preventing acts of lawlessness, and in every way possible supporting the supremacy of the law as the only safeguard against general ruin."

"The resolution was adopted by a unanimous and rousing vote. On motion of Mr. Ed. Perry the meeting adjourned.

"This was the most orderly meeting we ever witnessed in Denison, and, what was very remarkable, no one wanted to make a speech."

ROBERT C. FOSTER sworn and examined.

By the CHAIRMAN:

Question. You are attorney for the Missouri Pacific Railroad Company?—Answer. I am, sir.

Q. Were you filling that office on the 6th of March?—A. Yes, sir.

Q. Be kind enough to state what you know about this strike, and any legal proceedings which were taken respecting it.—A. I know very little about the strike, or its cause. After the strike had progressed some little time, as attorney of the company, I instituted proceedings to obtain an injunction in the district court of our county against one hundred and twenty-five employes, more or less, whose names were given to me as names of strikers, by which it was sought to restrain them from going upon the company's premises for unlawful purposes. That writ was obtained and served by the sheriff, whom I presume has testified about that. That is the only legal proceeding that was instituted by the company in the name of the company. There were some arrests made at the instance of the sheriff or some of his deputies of parties who committed violation of the law in their presence, and these parties, I believe, were put under bond for their appearance in court.

Q. Why did you seek a civil remedy instead of instituting criminal proceedings?—A. I preferred it because I regarded it as the better remedy. I thought there were a good many of the men who believed there was no law to prevent them from doing what they were engaged in, and therefore I instituted the civil remedy, knowing that they would first be served with process in which they would be warned in a legal way and by an order of the court restraining them from going on the premises of the company. I presumed they would take legal advice, and it would have the effect of quieting the disturbances.

Q. And did it have that effect?—A. It helped a great deal, and a good many of the men never came on the premises after they received the writs. There were others who disregarded them and did come, and persisted in their culpable course.

Q. Were they arrested for contempt?—A. There were a few arrests for contempt; I think as many as five.

Q. What was done with the parties?—A. One of them, I believe, gave bond and forfeited the bond; three of them were tried; two were convicted and one discharged. Another one filed an answer containing a sworn denial of his having been served with process. We discontinued the proceeding as to him, or directed it to be done.

Q. Were these trials prior to the resumption of business on the Missouri Pacific?—A. The trials were not before resumption.

Q. They did not, then, have the effect of showing what the law would do?—A. Not as a result of trials, they did not. The cases were called prior to the resumption of business and were postponed as often as twice at the request and expense of the parties themselves.

Q. By whom were they tried?—A. Judge Maltbie, judge of the district court.

Q. I see by the "Sunday Gazette" of the 21st of March, 1886, that you made a speech to the strikers from the pilot of engine No. 76, in which you used this language:

"Here (holding in his hand a copy of the writ) are the names of 125 employes of the company, men who have left the employ of the company. They are stopping the business of the community and stopping trains; they have been ordered off the grounds. The citizenship of the country owe it to themselves to see the laws obeyed. I feel that I am talking to Knights of Labor who are friends of law, and I am sorry this engine came down here while you were all attending the public meeting, as it had the appearance of an endeavor to take advantage of you. I think this trouble will soon right itself. I think the time when things will move smoothly is near at hand, although I am not authorized to say anything of the kind. I do say that every man who has respect for law will be very free from violating this writ. The penalty of its violation is \$100 fine and three days' imprisonment, and imprisonment until the fine is paid."

You used substantially that language, did you?—A. That is substantially the language I used. I said that I was sorry that the engine came down there at the time it did, just at the conclusion of a public meeting, because some of them might think that the attempt was made to take advantage of their absence, and I did not want it to appear that the company was doing anything of that kind. The engine had been brought there to accomplish some work for the business men.

Q. Where were the men whom you were addressing?—A. They were on the ground, standing around.

Q. When you used the language that "you felt you were talking to Knights of Labor who were friends of the law," what did you mean?—A. Well, many of the Knights of Labor of this city are good men, men who are the heads of families, who have their citizenship here, whom I know personally and whom I believe to be good men; and I meant, further, to put them a little on their pride by this expression of opinion as to their being friends of law and also to appeal to their pride.

Q. You were addressing them, then, as a private citizen as well as an attorney of the road?—A. Certainly, sir.

Q. You were trying to induce them by moral suasion to stop this trouble?—A. I warned them of the consequences of the writ of injunction that had been served upon them. The injunction had been issued and served on Sunday and I understood that some of the men had taken counsel and had been advised that, perhaps, being issued and served on Sunday they were of no avail; and I wanted, among other things, to satisfy them that if they had been so informed they were misinformed and they were just as effective as if they had been issued on any other day.

Q. Where did they obtain that advice?—A. I cannot tell you, sir.

Q. You just learned that incidentally?—A. I had been told by some of them that they had been informed, or that there had been an impression among the men, that, perhaps, because issued and served on a Sunday they would be invalid.

Q. What effect did your language have?—A. My language is not very effective.

Q. You were telling them what their responsibilities were; did they seem to pay any attention to the information that you gave them?—A. They listened to me.

Q. Did they disperse?—A. There was a gathering there of citizens as well as of Knights of Labor and other employes; there was no disturbance. They pretty generally dispersed, but some of them remained. When I said to the men I was sorry that the engine came down there at the time it did, and that it, perhaps, had the appearance of taking advantage of them, I followed it up with the remark that it was there for the purpose of transferring that car of coal to another position, and inasmuch as it had come there we proposed to do what it came there for, and I warned them to make no resistance, and what the consequences of interference would be; that we should proceed to do what was wanted to be done when the engine was brought there. When I got through the effort was successfully made to do what was intended to be done.

Q. Is it not a felony to obstruct a railroad in the State of Texas by the removal of a rail or the misplacement of a switch to the endangerment of life?—A. Yes, sir. The language of our statute states that it is a felony to remove a rail or do any act to track or car by which the life of any person may be endangered; it is not so easily understood as I could wish. I doubt whether it is a felony to remove or displace a railroad switch; that is, by throwing a switch so as to put a car from one track to another.

Q. You employed the civil remedy, and the question as to the construction of the criminal law did not arise?—A. We preferred to take the civil remedy, as it would be easier, and perhaps have all the necessary effect.

The CHAIRMAN. It certainly would be a misdemeanor.

The WITNESS. I think it would be if it was not a felony.

Mr. BUCHANAN. It would be a misdemeanor?;

The WITNESS. It would probably come under our statute in regard to malicious mischief.

Q. Then there is a penalty under your State laws for such misuse of a switch resulting in an obstruction?—A. There is that which is intended as a remedy.

LEVI LINGO sworn and examined.

By Mr. BUCHANAN:

Question. Where do you live?—Answer. At Denison, Tex.

Q. And have resided in Denison about how long?—A. Probably a year and a half.

Q. Are you in business?—A. Yes, sir.

Q. In what business?—A. I am hardware merchant.

Q. Do you freight to a large extent?—A. Middling.

Q. Were you here during the recent strike at this place?—A. Yes, sir.

Q. Did that have any effect upon your business?—A. It did—in preventing shipping, both in and out.

Q. Injuring your receipt of goods and shipping of goods?—A. Yes, sir.

Q. For how long a time?—A. I suppose for three or four weeks.

Q. Did pecuniary loss result to you from such hindrance?—A. Yes, sir.

Q. You are a business man of this city. Did you see whether other business men were injured by this trouble?—A. All were similarly affected.

Q. Do you know of any particular fact connected with this matter that would be of value to the committee, that you are in possession of, which has not been testified to?—A. No, sir, I do not know of anything particular.

EDWARD PERRY sworn and examined.

By Mr. PARKER.

Question. You are connected with the banking business here?—Answer. Yes, sir; I am cashier of the First National Bank.

Q. Were you here during the strike on the 6th of March?—A. Yes, sir.

Q. You may state the injurious result of the strike to the business here.—A. Well, it almost prostrated business here for a time. It made a great dearth of money. A large amount of money is paid here to the employés of the road—about \$40,000 per month—and I think that that amount was almost entirely absent for the month of April, and for March, which very seriously injured the trade of our grocery merchants. The merchants who had been receiving a great deal of this trade had to draw largely on their deposits, which shrunk in consequence, and made a general depression in consequence of the strike.

Q. Did you receive any advice of the strike before it came?—A. No, sir; we had no idea that the strike was going to occur until it actually occurred.

Q. Did you find that it affected payments and collections?—A. Very seriously. It has still, and it looks like it will probably have a depressing effect in that line for thirty, sixty, or ninety days before people will thoroughly recover from it.

Q. Was all business so affected to a greater or less extent?—A. Very seriously so.

Q. You may describe any benefits that have arisen to individuals or to the public out of the strike.—A. I do not know that the men have had any success in the strike, and I have not heard of any. I believe there are less men employed than there were, and I do not know that they have been benefited by any advance in wages or shortening the time of labor.

Q. As far as you can judge as a business man, the effects of the strike have been disastrous and injurious in every direction and have benefited nobody whatever?—A. Yes, sir. It has not benefited anybody, and it has been, in my opinion, disastrous to the men.

Q. (By Mr. BUCHANAN.) You are prepared to endorse the opinion of Mr. Powderly, the general master workman, that strikes should be discouraged?—A. I did not read Mr. Powderly's letter through, but I believe in organization for protection.

Q. Are you prepared to indorse the opinion that strikes should be discouraged?—A. Yes, sir. It is my opinion that strikes should be discouraged. I believe arbitration would be much better than strikes—a free conference between employer and employed.

Q. What do you think in relation to the shortening of hours and the increasing of wages where it can be done?—A. The workmen on a farm work from sun-up to sun-down, and I believe that they should be paid all that men are entitled to; but I do not believe in the eight-hour system. When I was at work I had to work ten to fourteen hours a day.

Q. (By Mr. OUTHWAITE.) What will be the effect on the business of this place if the men who owe money are not employed by the railroad companies?—A. From what the merchants tell me, in reference to their inability to meet their obligations, they will lose a good deal of money if these men are not employed. They will not be able to pay their debts, it will be impossible for them to meet their obligations, and some of them will have to sacrifice their property in consequence.

Q. (By the CHAIRMAN.) Would it not be to the advantage of the business community, as well as to the town generally, if the railroad companies could re-employ those men who had not made themselves obnoxious by the destruction of property?—A. I think so, sir.

Q. I understand you to say that some of these men would be compelled to leave the town?—A. That is, if they are not re-employed. Some of them have homes and town property partly paid for; and I presume they would have to sacrifice that if they left here.

Q. Then is it not your judgment that it would be generally advantageous to the railroad company, where it needs men, to re-employ the men such as indicated by you?—A. I think it would be to the advantage of the railroad company; I think so. They have lived here a good while and behaved themselves, and it would be to the advantage of the community if these men can be re-employed and remain citizens here.

SAMUEL STAR sworn and examined.

By Mr. OUTHWAITE:

Question. What business are you in?—Answer. I am a dry goods merchant.

Q. How long have you been in business?—A. Thirteen years.

Q. Where do you procure your supplies from generally?—A. New York, sir.

Q. How much or in what degree was your business injured by the strike?—A. Well,

sir, during the strike in receiving our goods, to a considerable extent; by having goods detained on the road. We were compelled to take our men who were traveling and selling goods off the road.

Q. You did not get goods in after you ordered them?—A. No, sir.

Q. Do you sell in any other States than Texas?—A. We sell in Arkansas, Texas, and the Indian Territory.

Q. Any in Louisiana?—A. No, sir.

Q. You were prevented from continuing to sell?—A. Yes, sir.

Q. You may state whether this kind of interference injured other branches of business in the city.—A. Well, judging from the experience we have had in the delay in getting our goods, it naturally would have the same tendency in the same or any other line.

Q. I wish you would state what branches of business have wholesale establishments here besides the dry goods business.—A. We have wholesale grocery houses, hardware, liquor, wholesale dry goods and commission houses; I think that is all.

Q. Have you any wholesale boot and shoe house, or are those goods carried with the dry goods?—A. They are carried with other goods.

Q. Do you know whether any stores that carry agricultural implements were similarly affected?—A. They were in the same way, as they were not able to receive any freight.

Q. What is your opinion as to the general effect of the strike upon this community, whether it was injurious or beneficial?—A. I think it was quite injurious.

Q. Do you know of any benefit that came to anybody as the result of this strike?—A. None in the least.

Q. Did you witness any of the occurrences at the yards during the strike?—A. No, sir; I was not present at any.

Q. If you think of anything yourself which would be of value to us in making our report I wish you would state what it is.—A. You asked the question of my predecessor, Mr. Perry, respecting Mr. Powderly's advice as to the effect of strikes. It is my opinion that strikes injure everybody and benefit none.

Q. You have no doubt that the forbidding of strikes would be of benefit both to the employes and employers and the public generally?—A. I do, most emphatically.

Q. (By the CHAIRMAN.) Would a strike be of any effect unless the strikers prevented the movement of freight through the country? And if when the men turn out of the shops and stop work their places are immediately supplied and the movement of trains go on, would such a strike have any effect as to the adjustment of their grievances?—A. I think it would not.

Q. Is there a surplus of railroad labor in this section?—A. I have reason to believe there is, since this strike.

Q. Then if there be a surplus of labor, and the employes go out quietly and do not interfere at all with the operation of the railroad in the employment of that surplus and the resumption of traffic, does not every strike—every peaceable strike—result in damage and injury to the strikers alone?—A. I should judge it does.

Q. They would have to move off?—A. Yes, sir.

CHARLES W. CLARK sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Denison.

Q. How long have you resided here?—A. Three years.

Q. In what employment are you engaged?—A. I am master mechanic.

Q. For what road?—A. For the Missouri Pacific and International and Great North-
ern.

Q. Were you in Denison at the inception of the strike?—A. Yes, sir.

Q. State to the committee what you saw and heard, if anything, about the cause of this strike, and generally what you know about it?—A. The commencement of the strike was on March 6. On the Sunday I was at Palestine, and I came to Denison. I arrived here on the 3d and went to Alvarado on the 4th, where difficulty was existing, and I found that they were unable to operate our trains on account of an order that was received there by a man named Brundage, a master workman of the lodge of the Knights of Labor at that point, to compel all trains in Alvarado to stay there. He showed me that notice, signed by a man named Golden, at Fort Worth. He showed me a telegram signed by a man named Black, "Hold all trains. Don't allow a wheel to move out of Alvarado." We had eighteen men employed there, and there was probably in the neighborhood of two hundred who claimed to be strikers. I tried to show that it was a mistake and ought not to be done, but it was of no use. I was informed that we would have trouble over our entire system in a few days by Mr. Brundage.

Q. What reason did he give for the strike?—A. He claimed that it was on account of

some difficulty that had originated on the Texas and Pacific road. So when I could not do any good there in regard to getting out engines, I tried to fill one out, and they notified me to stop and leave the town. I came to Denison on the night of the 4th, arriving here on the morning of the 5th. Everything was peaceable here, and I went back to Alvarado next day. I kind of believed what I had heard there, that we were going to have trouble here. Everything went on smoothly and there were no signs of any difficulty. I talked with a great many of the men in the shop, and they said that they had no grievances that they knew of, and some of them made the remark that if there was to be any trouble they would give me ample notice, or something to that effect; but there was no notice given. I was at the shop on the morning of the 6th a little while before 7 o'clock. The men all went to work there as usual, and everything worked well up to 10 o'clock, when the whistle was sounded. The men dropped their tools, with a few exceptions, and those who did not drop their tools were notified by the men to drop them and leave. The strikers immediately went out into the yards and commenced taking charge of the engines. They were headed by a man named Joe Gettler, who informed me he was appointed to take charge of these engines, the roundhouse, and shops, and that I need not worry myself with the company's property. We were unable to do anything until the difficulties were adjusted. I asked him what the difficulty was, and he remarked he did not know. He told me that the order came here to strike and to hold all trains, and that that was what they proposed to do. They commenced killing all the engines in the shop, by putting out the fires and blowing them out, and putting them over the table. I went to the men and notified them to keep off the engines and leave the company's property alone. They did not seem to pay much attention to me, but kept on. After they got all the engines stowed away they captured a crew that I had called to go out on the freight north. They told the engineer and fireman to go home; and as others came in they killed the engines.

That afternoon they captured the switch engines in the yard and put them over the turn-table also, and after that what switching was done was performed by passenger engines and by strikers, men whom I am informed were detailed for that purpose. Every day I made an effort to get an engine out. We filled them up with water and put fire in them. Every effort I made was, of course, useless, as the grounds and yards were guarded very strongly by strikers. And they finally took all the hose we had and put it one corner of the round-house, and put a guard over it, and kept it there about a week. After that time they made a raid upon the shop by about one hundred and fifty men, and dismantled the stationary engine and also emptied the boiler and let the water out of the high tank. They also cut the hose on a passenger engine so that our trains were delayed. There were thirty freight engines disabled, and this one passenger engine, by parts of the machinery being taken away, and which had to be duplicated before the engines could be started out.

Q. Where is this man Gettler?—A. I do not know, sir.

Q. Had he been in the employ of the company?—A. Yes, sir; he had been in the employ of the company.

Q. Has he left this place?—A. I believe he has; I have not seen him lately.

Q. Did he assume to take charge of the yards and give instructions as to what should be done?—A. Yes, sir. He gave directions, and informed me on the morning of the 10th that I was the only officer on the Missouri Pacific that interfered with the Knights of Labor, and that I wanted to go slow and keep off the company's premises; I had no authority around there at all while they had charge.

Q. Were you in the employment of the company, and had he left the employment of the company?—A. Yes, sir, I was; and he had left the employ of the company with the rest of the strikers.

Q. Those that were taking charge of the property?—A. Yes, sir.

Q. You say that they put a guard over the engines, and a guard over the hose that they put back; what do you mean by that?—A. It was a guard that they put over the hose and prevented us from putting any new hose on the engines they disabled.

Q. Did they relieve each other?—A. There was one hundred and ninety-eight of them, and they had three squads, and they took turns about guarding the yard, switches, and round-house and turn-table.

Q. Day and night?—A. They were divided up—the one hundred and ninety-eight men who left the service, or left the shops.

Q. You say in the morning after the water was let out of the tank you were attempting to prepare a passenger engine. Do the passenger trains carry the mails of the United States?—A. Yes, sir; and that train was delayed four hours, or about that time.

Q. Were any reports forwarded to the Department of that fact?—A. I believe there was.

Q. (By Mr. OUTHWAITE.) How many men are employed now?—A. There are ninety-six at these shops; probably 50 per cent. of the number that we had before.

Q. Are any of them men who went out on the strike?—A. The majority of them.

Q. (By Mr. BUCHANAN.) Did all classes of labor employed on the road here strike?—A. None but the men who claimed to be Knights of Labor. The engineers and firemen were all right. The shopmen all went out. The engineers and firemen were loyal to the company.

Q. Without reference to what organization they belonged to, please give me the class of labor, or classes of labor, that went out.—A. The machinists, blacksmiths, boiler-makers and their helpers, copper-smiths, passenger-car men, carpenters, truck repairers, and coal-heavers.

Q. The switchmen?—A. The switchmen do not come under my employ.

Q. (By the CHAIRMAN.) Did all of these men you employed have to get a withdrawal card from the order?—A. There were a great many of them that had been in the Knights of Labor. I did not request any of them to withdraw from the Knights of Labor, but I asked one or two that made application if they had got tired of working under the orders of somebody else, and told them when they could go to work and would work under my orders I would give them work.

Q. Have you ever said to anybody that you had cards of withdrawal from the Knights of Labor?—A. Yes, sir; I have them.

Q. But you secured them in the way indicated by you just now—voluntarily?—A. Yes, sir; voluntarily on their part.

Q. You did not exact them?—A. No, sir.

Q. Did you tell anybody that if any Knights of Labor came for work that you would kick them out with a time check?—A. No, sir. I couldn't do that, because they had all got their time checks. I had no time check to kick them out with, because they had got their checks.

Q. (By Mr. BUCHANAN.) In re-employing any former employé who had not been guilty of violence to the company's property, would it make any difference to you whether he was a member of the Knights of Labor or not?—A. No, sir. All men that were not objectionable, that had not destroyed the company's property, we had no reason to refuse them employment.

Q. (By Mr. OUTHWAITE.) You did take back Knights of Labor?—A. The majority of our men were Knights of Labor.

Q. (By the CHAIRMAN.) You said that you have ninety-six men employed, or about 50 per cent. of the men that you had before the strike. Do they do they do the same amount of work that the one hundred and ninety-six men did before the strike?—A. We are not doing quite as much, although we are working longer hours. We are working ten hours where we were working eight before the strike, and the men work more cheerfully now. Before that when we sent a man to do something he had to go off to see somebody or some committee to know whether he should do it or not.

Q. Do you pay them any more wages?—A. We pay them the rate of September, 1885—the same rate exactly.

Q. The same for ten hours that you paid for eight?—A. No, sir. The same rate that it was before the strike.

Q. You are working them longer hours and paying them more money?—A. We pay them so much an hour; if they work more hours they get a little more money.

Q. Then one of the results of the strike, as far as the company is concerned, has been to increase the hours of labor and reduce the number of employes?—A. Before the strike we had more employes than we needed.

Q. I say that one of the results of the strike, according to your statement, has been, so far as the management of the company is concerned, to increase the hours of labor and to reduce the number of employes.—A. That is what we have done at this place, sir.

Mr. OUTHWAITE. Look over this blank [showing witness blank form of release for claim arising out of injuries]; it is a blank release from liability on the part of the employes who may have incurred injuries in the service of the company before they are re-employed. Do you know of any employes of the company who were requested to sign such a contract as that before the strike at any time?

The WITNESS (looking at the blank). That is the release where a person received some bodily injury. I have heard of persons who have been injured signing something of that kind; if they were not going to have a suit with the company they would sign a release of that kind.

Q. Do you know why they required them to sign such an agreement as this?—A. So that if they should bring a suit against the company they could prove that they had no claim upon the company; in the same way as if a man paid you a hundred dollars, you give him a receipt for it, and that would end the case. If a man got hurt they would allow him time as well as his physician, and pay him two or three hundred dollars, perhaps, for damages. That is the way I understand it. Where the man has settled up and the claim dropped, he then signed the release.

Q. State the case that you know.—A. I cannot give you the dates or names at present; I could by referring to the books.

Q. What I wanted was, did you know any case in which the money was paid and the release signed?—A. I have known a case.

Q. What were the circumstances in that particular case?—A. I cannot give it to you at present; I have not got their names or dates; but I have all the names where men have signed a release.

The form of release was here put in evidence:

[Form 715.]

Whereas, on and prior to — one — was an employé of the — and, as such employé, was engaged —; and whereas said — received certain injuries, as follows, to wit: — for which said injuries said — does not make any claim of any class or character against said railway company, and admits that his injuries are not the result of any negligence on the part of said railway company.

Now, therefore, in consideration of the sum of \$1 to him in hand paid, and the further consideration of re-employment by said — for such time only as may be satisfactory to said company, said railway company is hereby released from any and all claims that I, said —, claimant herein, ever had against said company, up to date, and especially released from any and all claims arising out of injuries specifically set forth herein.

Given under my hand and seal this — day of —, — [SEAL.]

Witness:

Q. I will ask you this question, which you will answer from your own knowledge, whether these are exacted from employés who have been injured without reference to the question as to whether the company was liable or not?—A. Well, these are signed voluntarily. The men, I know, signed these voluntarily. I did not compel a man to sign anything of that kind. If a man is willing to release the company from all damage he puts it down in black and white.

Q. Do you know of any case in which a man who was unwilling to sign such a contract as that didn't get back to work?—A. No, sir.

JOHN DOYLE sworn and examined.

By Mr. PARKER:

Question. You were in the employ of the Missouri Pacific Railroad Company?—Answer. Yes, sir.

Q. Where did you reside in the first week of March?—A. In this city of Denison.

Q. And remained here during the strike?—A. Yes, sir.

Q. What was your official position?—A. I was foreman in the car department.

Q. How many men did that department employ at that time?—A. I think it had sixty-five men on the 6th of March.

Q. What were the wages paid there—from how much to how much?—A. The lowest received \$1.25, the next \$1.60 (in the coach-cleaning department), \$1.80, certain classes \$2.00 and \$2.40, \$2.50, \$2.60, and \$2.75.

Q. How many of these men actively joined in the strike?—A. The entire force in my department, with the exception of five or six.

Q. How many do you understand were Knights of Labor?—A. Well, I understand that they were all Knights of Labor except about six men.

Q. Was there any intimation given to you of the strike before they were going out?—A. No, sir; there was nothing said to me.

Q. You may describe the effect of the strike as it related to your department.—A. Well, I can only say that it totally stopped the work.

Q. What was done?—A. On the morning of the 6th of March the whistle blew at 10 o'clock, and every man laid down his tools and walked right out. I was waited on and told by men in my employ that they had appointed certain men a detail to take care of the passenger trains, and there was no other work to be permitted. I told them that I had nothing for them to do; that they were men who were not in the service before, and I had no work for them.

Q. How many did they detail?—A. Two at day and two at night, and at my suggestion they put on another one.

Q. Did they put on three?—A. They put on the third man—day and night shift.

Q. What became of the other men; did they occupy the shop or interfere with you or

have anything to do with the business?—A. I can not say that they interfered with me or my business, because my business was totally stopped with the exception of the passenger trains running. There was a guard there every day of six or ten men, day and night.

Q. Who put the guard there?—A. I can not tell. My understanding was that the Knights of Labor put it there.

Q. What did they claim was their purpose?—A. To guard and protect the company's property; I think they told me that.

Q. Did they keep charge of the company's property?—A. Well, I can not say that they did.

Q. But they had put men there to take charge of it?—A. They put men there to take charge. I had no responsibility whatever for the men, understand.

Q. What did they say about that?—A. About all that was said, they came to me and said that a detail of men was made to take charge of the business.

Q. How long did the custody of the shop remain in these men?—A. I think I may safely answer until the 1st of April. I do not think they dispersed before that time entirely; but I would not be positive about that.

Q. About the time the arrests were made were you here?—A. Yes; I think that was about the time, after the injunction writs were served; but quite a number of them continued on the premises.

Q. Did you then resume possession of your shop?—A. Well, the shop was closed down. There was nothing doing from the strike up to the 2d of April, and at that time we resumed full charge. I might say I had charge of it before that.

Q. With how many men did you resume?—A. I think I started with thirty-six men on the 2d of April.

Q. How many of these were your former employés?—A. I think I have eight new men; the balance are our former employés.

Q. Were some of these Knights of Labor?—A. My understanding is they were. With the exception of the six men that I have spoken of, the understanding was the others were strikers and Knights of Labor.

Q. Did those who were strikers come back at their own solicitation, or at yours?—A. Mr. Clarke, the master mechanic, told me in the re-employment of men to employ only such men as were not objectionable to the company; and I told them that I would employ them as fast as I could—those who were not objectionable to the company.

Q. What was what you call objectionable to the company?—A. Men who had taken an active part in the strike, who had taken charge of the company's property and prevented them from operating it by preventing trains moving, and so on.

Q. How many men do you now employ?—A. I think I have thirty-eight men employed to-day in my department.

Q. Have you occasion for more men there now?—A. Well, I am subject to the orders of my superiors; I cannot say about that.

Q. With a full movement of business could you not profitably employ more men there?—A. I presume we could.

Q. And will men be employed there to whom there is no objection otherwise than they were Knights of Labor? Would it preclude men from obtaining work if they were Knights of Labor?—A. I do not know, sir, that there would. The men are to be employed regardless of what they were, at the same rate of wages for the same class of work as before the strike.

Q. Have your men been interfered with since the 3d of April?—A. They have received notice to quit several times.

Q. From whom?—A. From the local executive board of Assembly 3690, as well as I remember.

Q. Have you information of any violence visited upon them for working?—A. I cannot say that I have.

Q. Do you know of any interference to these men in your department other than that you have indicated?—A. I do not know. There has been a great deal of talk.

Q. I do not mean talk, but interference with your men except what you have stated?—A. I do not know of any to my knowledge.

GEORGE E. BUCK sworn and examined.

By Mr. OUTHWAITE:

Question. In whose employ are you?—Answer. I am in the employment of the Missouri Pacific Railroad Company.

Q. How long have you been in their employment?—A. About three years.

Q. In what branch of business?—A. In the machinery department.

Q. Where?—A. As a locomotive engineer, and as traveling engineer.

Q. Where were you about the time of the commencement of this strike?—A. I was in Denison.

Q. What was the first you knew of the strike?—A. The first I knew of it they had all quit work.

Q. Had you heard of its coming before?—A. I heard rumors of it.

Q. What did you hear stated as to the cause of the strike at that time?—A. When the strike first occurred I did not hear of any particular cause.

Q. What did the men say about going out?—A. At the time that they struck they complained that a man by the name of Hall, at Marshall, was discharged, or something of that kind.

Q. Have you heard any statement of grievances?—A. Nothing particular, sir.

Q. What did you see of the actual movements of the strike?—A. I saw that all trains were stopped and engines were killed, that the water was run out of them, the fire pulled out of them, and engines run on side-tracks.

Q. You are not in any capacity over any group of men, are you?—A. No, sir.

Q. Do you know of any acts of violence that the strikers did toward the railroad company and its property?—A. I know that they killed engines. Whether you call that an act of violence or not I do not know.

Q. Anything else?—A. They took some parts of the machinery from them so that we could not use them, and took the water out of them.

Q. Anything else that you know about this matter, as to the extent of the strike or the cause of it?—A. Well, I do not know anything particular of the cause. I never could find it out at all.

Q. Did you mingle among the Knights of Labor and strikers?—A. Well, not a great deal. I was around here most of the time and around the shop, but I did not go around among them except in the shops.

Q. Did you never hear them speak of the wrongs they had suffered or for which they were striking?—A. I never heard them make any complaint of suffering much.

Q. What do you know of ditching a train in Alvarado during the strike?—A. Yes; all that I know is that I was there the next morning after it was ditched. I saw where the spikes had been pulled out of the ties and the rails removed, and the engine was in the ditch.

Q. Was the engine injured?—A. Yes, sir.

Q. How much?—A. Well, I would suppose it would take four or five hundred dollars to fix it up again.

Q. Anything besides the engine off the track?—A. Yes, sir; there were two cars off the track that I saw.

Q. Were there any persons injured?—A. There were two or three injured.

Q. How badly?—A. Well, there was one of them had his arm broke and another had his legs injured and was scalded some.

Q. You have no idea who might have done this thing?—A. No, sir; I might make a guess at it.

Q. About what date did that occur?—A. I declare I forgot the date of it.

Q. How long after they had gone out on the strike was it that it occurred?—A. It was during the month.

Q. Did you ever hear any person make any statement as to why that was done?—A. I did not.

Q. (By Mr. BUCHANAN.) Were the engineer and fireman injured?—A. Both.

Q. Seriously?—A. The fireman was injured quite seriously.

Q. So that he was incapacitated from labor?—A. Yes, sir.

Q. Then a man that was earning wages to support himself and family was injured and incapacitated from labor by the ditching of that train?—A. Yes, sir.

Q. (By Mr. OUTHWAITE.) Do you know about the same time of parties taking possession of an engine there and running it down the road and killing it?—A. I understood that they did so—that they took one from Alvarado to Grand View and killed it.

JOHN DOYLE recalled and examined.

By Mr. OUTHWAITE :

Question. I am requested to ask you, in reference to the rate of wages, whether the men who had \$1.25 are receiving the same wages as that they did in September, 1884?—Answer. That was the same rate for the man. I cannot state from memory, as it does not serve me well enough.

Q. What I want to get at is whether the men who in 1885 were receiving \$1.25 were not in 1884 receiving \$1.40 a day?—A. That is a matter that I do not understand. If they were it is not to my knowledge. My understanding is that every man has got the same rate of wages that he was getting in September, 1884.

Q. Were they at the time of this strike?—A. Yes, sir; there has been no reduction in salaries for twelve months.

Q. Had you, or had any man, ever made a complaint to you that he was not getting the wages that he ought to get according to the agreement?—A. Not according to the agreement. I frequently have men to apply for an increase of pay, and at times we increase their pay. I could cite to you fifty instances of men who have had their pay increased, some of them 45 cents on the day.

GEORGE FIEDLER sworn and examined.

By the CHAIRMAN:

Question. Your business on the 6th of March was that of foreman of the roundhouse?—Answer. The roundhouse and engine-house.

Q. You are still in the employment of the company?—A. Yes, sir.

Q. Do you know anything of the cause of the late strike?—A. No, sir.

Q. Do you know from the statement of any man who was connected with the strike?—A. Well, yes. I asked several of them. They said a man had been discharged by the name of Hall that was hired on the Texas and Pacific, and they had some Chinamen on the west end of the Texas and Pacific, and that they were striking on that account. That is all the information I got. Some of them told me it was none of my business.

Q. When did they tell you that?—A. On the 6th or 7th of March, if I am not mistaken.

Q. Had you any conversation with any of them subsequent to that time on the same subject?—A. No, sir; not that I am aware of.

Q. They told you on the 6th or 7th of March that the strike was caused by the discharge of a man named Hall, and also on account of the employment of Chinese upon the Texas and Pacific?—A. Yes, sir; by the company on the west end of the road.

Q. Do you know of any acts of violence that were committed by the strikers at Denison? If so, state what you know of them.—A. On the 6th of March, at 10 o'clock, the whistle blew, and the men all went out of the shops; but few remained, and they were stopped. They immediately commenced taking care of the engines and running them back into the machine-shop. They were led by Joe Gettler and Robert Buchanan and George Wesley. They refused to let the old hostlers handle the engines. They killed engines as fast as they came in on freight trains and put them away. They kept that up all day. At 10 o'clock they took the passenger engine out and switched the mail car to go north, and by evening they had almost all the freight engines that came in killed. Several came in that night, and they killed them.

At 10 o'clock in the morning they took an engine to switch the day mail and passenger coach. Joe Gettler took charge of the passenger engine, and took care of it and did it himself. He asked me what we were going to switch with in the morning, and I told him the engineers of the passenger trains would switch over; and he took the engine and switched out the passenger train and mail-coach himself. They took out everything. On the morning of the 9th we had orders to get a freight engine ready to take out a freight train; one hundred and fifty or one hundred and seventy-five men came up there and stopped us, pulling us away from the engine. They ordered me away two or three times. They put out the fires and disabled the engine by taking out the valve-stand pin. After that I believe they took out a great many more pins, and subsequently they took pins out of all the freight engines. Nearly every day we had to get pins ready, to try and fill the engines up, and put fires into them, but they would always overpower us, take the hose from us, put out the fires, and let the water out of the engine. That movement kept up to about the 21st of March. On the 20th of March the sheriff served injunction writs on fourteen or fifteen of them, and about the 21st of March, I believe, between 12 and 2 o'clock in the morning, they took possession of the shops by a great number of masked men and crippled the stationary engine and the pumping engine, let all the water out of the tank, and let the water out of and cut the hose of the passenger engine, delaying the passenger engine for some time. On the 22d or 23d of March we got a switch engine ready and put pins in her and got her filled up to do some switching. On the 23d of March we did the same, and, I think, on the 25th we got the first freight engine ready and ran the first freight train out. We did not have any violent opposition to getting the engines out of the shops after we got the sheriff and his party.

Q. Is that all you know of the transactions that took place down there?—A. Well, to a large extent it is. We got one engine brought back there that was ditched at Alvarada. I helped to take the engineer and fireman off the train when they were brought here. One of them is very poorly, the fireman is getting along very poorly.

Q. Are they receiving medical treatment?—A. Dr. Joseph Fox, of Denison, is attending them.

Q. Please give the names of the engineer and fireman, and the nature of their injuries?—A. The engineer is Sam Baird. He got his arm broke, and was hurt through the hips. The fireman is W. H. Barnes, and had both of his legs caught under the tender. He laid under the tender for an hour and forty minutes, with the tender on him. His leg was very badly bruised, and it has broken out on both sides and is running. He had the weight of 48,000 pounds upon him for an hour and forty minutes, besides the steam and hot water he was lying in. The tender was loaded with coal and water.

Q. Where are these men?—A. Here in Denison. I got these statements from the parties themselves.

Q. Have they got families?—A. Yes, sir; they both have families.

Q. Have you any idea who ditched that train?—A. No, sir; I was in Denison when it happened. I have not been out of town since the strike commenced, though I have been ordered to leave town. The engineer told me that he was going around a curve north of Alvarada, and just after getting around it he saw that the rails had been moved 6 inches, making a perfect switch rail of the track. Before he could reverse the engine and stop the train it was ditched. They were running at about 10 miles an hour. They were only three or four rails from the place when he saw that the rail had been moved.

Q. (By Mr. OUTHWAITE.) Are passenger trains and locomotives submitted to inspection and examined before each train goes out?—A. The locomotives are. They all come in here and lie here from ten to thirty-six hours, and all work is done on them that is necessary.

Q. Now, I understand that Gettler said he would take charge of that branch of the work.—A. He told me he would do so, and afterwards he told me the same thing, and told me to leave the place, and I told him I would take no interference from him or anybody else.

Q. Had he up to this time taken part in the inspection of the engines?—A. Yes, sir; he was a machinist.

Q. If any damage had occurred would he have been responsible to anybody?—A. Nobody but himself. He was not in the employ of the company at that time.

NEWTON WOODRING sworn and examined.

By Mr. BUCHANAN:

Question. Where do you live?—Answer. At Denison.

Q. How long have you resided here?—A. Nearly four years.

Q. What is your employment?—A. I am switch engineer.

Q. And for whom are you employed?—A. By the Missouri Pacific Railroad Company.

Q. While upon that engine in March did any one approach you to get off your engine?—A. Yes, sir; on the 6th of March, the day of the strike here.

Q. Please state what occurred.—A. Three or four men came upon the engine and asked me whether they had to use force to take the engine. I told them I was not much force against four men. The yard-master told me to let the engine stay. I stopped the engine, and they took hold of her and ran her into the shop. On the 7th this man Gettler and some more men (I do not know the others) had the engine switching the passenger train up here. Mr. Clark told me to go on the engine and do the switching. I went down to the tank, at the other end of the yard, to get the engine, and asked them for it, and Gettler told me he would give it to me when he got ready. So I came on to the depot and told Mr. Clark. He came up alongside the engine and told Gettler to turn the engine over to me. Gettler told Mr. Clark he would give the engine up when he got ready, and told me I had better get off, and I did so.

Q. Who is Mr. Clark?—A. Master mechanic of the Missouri Pacific road 'at Denison.

Q. And was at that time?—A. Yes, sir.

Q. And Gettler was not in the employ of the company?—A. No, sir; he had left the employ of the company.

Q. Was any force used to take you off the engine?—A. Not on that occasion.

Q. Was there any occasion on which there was force used?—A. Yes, sir; on the 25th I was bringing the engine from the round-house to do some switching, and got about half way up there. Three men got on the engine, and two of them asked me to get off. I did not say anything to them, and they asked me to get off again, and pulled me down off the seat. One of them got hold of the reverse lever and one of them was at the throttle, and they found they had made a mistake and they got off.

Q. Who were these men?—A. One of them was named Musgrove and one Bone.

Q. Were they strikers?—A. Yes, sir.

Q. And had no business there at that time?—A. No, sir.

Q. They took hold of you by physical force?—A. One took me by the collar and pulled me off the seat.

Q. Did you lodge any complaint against them?—A. No, sir.

Q. Are they about town now?—A. I do not know.

Q. Were these men that the sheriff saw and arrested?—A. The sheriff was there, and he arrested them.

Q. Have any threats or intimidations been used against you?—A. No, sir.

GEORGE FIEDLER recalled and examined.

By the CHAIRMAN:

Question. Were you ordered to leave the town at any time during the strike?—Answer. Yes, sir. I believe on March 10, about 10 to 2 o'clock, if I am not mistaken, I was ordered to disconnect the shop whistle to prevent an alarm being given to call the strikers to prevent us from working. I went out to the stationary engine in company with Mr. Clark, and tried to disconnect the whistle. There was a guard in there, and he gave the alarm to several other parties. Several parties came down there and started the whistle and gave an alarm, and of course they came down there about 150 to 175 strong, and there may have been 200 men, and they told us that we would have to leave town and leave the shop. Joe Gettler stood up and said: "George Fiedler, I want you to quit interfering with this property and working on those engines, and to leave the place, or we will make you."

Q. He was guardian of the peace at that time?—A. Yes, sir; he was. He had the master mechanic and superintendent unable to do anything. He had assumed the authority to do what he pleased. I told him I would attend to my duties. Mr. Clark spoke up and said the men here were working under his orders. They then told him it was about time for him to leave, and that he was making himself conspicuous as an official and taking a prominent part, and that no officer on the Gould system was doing more than he was against the men. One of the party told him to get out of town or they would fix him. As he did not want to make a personal difficulty with anybody, in pursuance of the verbal order from these men to leave we left.

Q. Who was the leader?—A. Joe Gettler; he was the spokesman of the party.

WILLIAM R. PERRIN sworn and examined.

By Mr. PARKER:

Question. Were you in the employ of the Missouri Pacific Company during the month of March last?—A. Yes, sir.

Q. Had you any connection with the men who conducted the strike?—A. Yes, sir, I guess I could say that I had.

Q. Had you charge of the round-house at any time?—A. Yes, sir.

Q. Do you remember the time when a party of masked men came there?—A. Yes, sir; it was March 21, about 1.30 in the morning.

Q. Who were there at that time before these men came?—A. Well, there was Mr. Babb, about thirteen or fourteen men, and three hostlers, including myself.

Q. What was your position there?—A. I was a hostler, drawing hostler's wages, but had charge of the round-house that night on account of the foreman laying off sick.

Q. Give us what was the first you heard of the purpose of these masked men.—A. Well, the first I was sitting in what you call the foreman's office, eating my lunch, and saw three men pass the window; and I noted that they were hurrying. They stopped at the door and a moment afterward one of the watchmen came in and walked toward me. I noticed his face was very white. He turned his back and went back. I supposed it was two watchmen that had passed the window. I asked him why his face was so white, and got up to see what was the matter, but was told that I could not go, and a man stepped up and placed a club across me and said, "I want you to sit right there and not make any noise." I wanted to go out and he said, "Sit in there awhile." I made a move like I was going and two more men stepped up to the door, and they said, "We have come here to perform a duty, and we are going to do it, regardless of consequences." I concluded to stay inside. Well, looking out, there was a passenger engine standing around the side of the house. It was to go out with the morning train, and was lying there, and from the movements I saw I knew that there were a number of men who were letting the fire out and taking the water from her. I spoke to the man that was near me and told him that that was a passenger engine. He said "We know what we are about, and we do not want any information." Well, I staid there a few minutes, and one of the hostlers came in and said they had the men there near the turn-table. I then approached the man and the two others and told them I wanted to know where the two

colored hands were and said may be they are doing something to them, and it flashed over my mind that they might have come to give them a little chastisement. I asked them where they were and told them I did not want them to hurt the colored men, and they said they were all right. I told them I was going, and to take me down to what we called the sand-house, and if they were all right then they could bring me back. About the turn-table they had a whole crowd of the men, and then they put me in with them and took us to the foreman's office and put us in there with two or three men to guard us, and about ten minutes after that they all dispersed. Most of us then went out to see the damage. We found that the stationary engine and the pumping engine disabled, the water all let out of the big tank, the water let out and the hose cut on the passenger engine and the fires knocked out.

Q. Have you described about all that was done there?—A. I believe that was the substance.

Q. How many engines were disabled that night, including the stationary and passenger engines?—A. Well, engines—I don't just remember how many.

Q. About how many?—A. As near as I can tell most of the freight engines were disabled before that time.

Q. Did they disable any of the passenger engines?—A. There were six passenger engines, and one or two extra engines that were all ready for work, I believe.

Q. Were they disabled that night?—A. There were six or eight engines disabled that were ready for running.

Q. How many were there in the masked party?—A. I can not say; but, judging from the crowd I saw, I suppose there were about fifty around the men there at the turn-table.

Q. All masked?—A. Well, most that I noticed were masked.

Q. Were there men that you knew that were not masked?—A. No, sir.

Q. In what manner were they masked?—A. They had red handkerchiefs over their noses, and tied up there round their noses [indicating].

Q. Were there eye-holes?—A. They were tied below their eyes so that they could see.

Q. What did you hear any of them say as to injuring the traveling engineer?—A. I did not hear any of them say anything about it.

Q. Did you hear any of them say anything about injuring Mr. Fiedler?—A. No, sir.

Q. Or any other officer or person?—A. No, sir.

Q. Are there any other circumstances that you know of relating to the strike that other witnesses have not testified about?—A. Not that I remember of, I believe.

STERLING M. BABB sworn and examined.

By Mr. OUTHWAITE:

Question. Where were you living about the 6th of March?—Answer. At Denison, Tex.

Q. At what were you employed?—A. I was night hostler at the round-house.

Q. You may state what you saw of the strike.—A. Well, sir, working at night, of course I only saw what happened at night. I heard that rumors were afloat that there was a strike. On the morning of March 6, at 10 o'clock, I heard the whistle blow, and it woke me up. Of course I had an idea of what was going on, so I did not go around till 6 o'clock that evening, at my time to go to work. I saw the strikers had possession of everything. They seemed to assume charge of the engines. The fires were all knocked out, and the engines standing there, and they seemed to give orders. An engine came in from the north and I got upon her to perform my duty, and one of the strikers told me he was appointed to do that business himself. I told him I did not expect to use any force to handle engines, but that my duty there was to hostile, and I expected to get on the engines; and so I staid on the engine. It was getting dark of nights, and I wanted to put her on the go-out track. He was afraid to injure some of his own men, and he said, "You are paid for doing this, and you do this hostile, but I will stay with you and see that you do it," and I went on and did the hostling the same as I usually do. I went on to work every night, and when I came Mr. Clark would sometimes come and give me orders and these other men assumed the duty of taking charge of the hostlers at night. Mr. Clark was the master mechanic, and this other man was assuming to be the master mechanic.

Q. You may state any interference with the property of the company or violence that you witnessed.—A. Of course the most of the violence was committed on the morning of the 21st of March. I was there, and there were ten watchmen on duty to watch the property and to see that no one molested the property. We had a small hose to fill up the engines with, about 130 feet of hose. I had the hose in the engine filling her up, and I was sitting down in the sand-house and two colored men who had staid with us through the strike they were in there lying down. I was sitting there for the engine to fill up. One of the watchmen said that here was a mob. I supposed there was four or five men. I stepped to the door and four or five men stepped right in front of me. I

hardly took in the situation at first. It struck me that they were after these two colored men, and I said: "Hold on here, don't take hold of me; keep your hands off me." One man said: "We do not want to hurt anybody," and he said: "We have got all the rest of the boys up at the stable corraled and we do not want to hurt anybody." I said: "Here, I do not propose to move a step if you are after these colored men; they are men working for families." They told me that they were not going to hurt anybody, and that the colored men would be protected, and one took hold of each arm and one at the back, and the consequence was I walked on with them, and after they had got us to the central turn-table one man said: "We have got them all together. Do your duty."

Q. Who was that spokesman?—A. He was a stranger to me at the time.

Q. Do you know who it was?—A. I have since learned who it was as well as I can recollect him on the street; I understand he was the master workman Pfifer. I never saw him before that night. I met and recognized him afterwards. I was standing within a foot of him and the boys they began to scatter all round. They got their orders and each man went to his duty. They began knocking the fire out of the passenger engine, and I said, "That is for the morning passenger train; do not knock the fire out of her;" and he said, "Let the engine coming in go through;" and I said, "No engine came through," and he says, "Damn the train, let her lie then." They went and cut the hose and opened the drum-cock and let the water run out and told them it was killed. He then told us he would take us all into the foreman's office there, and told us to stay there fifteen minutes and that he did not want us to move until that time, when we could go on about our business. He took us in there and stood at the door and after the thing was all over he made us quite a pleasant little speech, and told us that we behaved ourselves like gentlemen. We then started up for the roundhouse to see what damage had been done. Some of the boys shut off the water in the passenger engine to save water to fire her up again. The damage to the other passenger engines was, they let the water out of them and killed the stationary in the big shop. After we had found the damages, and saw that we could not get the mail train out on time we had to go to work and put hose on that engine as soon as we could get any tank-hose.

Q. Was the mail train delayed that morning?—A. Yes, sir; about four hours.

Q. Tell me whether you heard any threats against Mr. Buck or Mr. Fiedler?—A. I heard some. One, I don't know who, said "Where is Buck?" He had been with us, and they said, "We will hang the son-of-a-bitch." Some one said, "There is Fiedler; let us go for him and give him a good ducking in the pond."

Q. Was that on the company's grounds?—A. Yes, sir; it was at the company's roundhouse.

Q. During the time that you have been telling about?—A. Yes, sir.

Q. Do you know who it was that said this?—A. It was said by a party in the crowd, but I do not know who by.

Q. Were you present on any other occasion like this?—A. No, sir; that is the last time.

Q. (By Mr. BUCHANAN.) Do you know whether this man Pfifer is in Parsons?—A. I saw him here awhile to-day.

Q. You say he was master workman. Was he a master workman in the shops?—A. No, sir; he was master workman of the assembly of the Knights of Labor.

CHARLES W. CLARK recalled and examined.

By the CHAIRMAN:

Question. Do you know anything of Mr. Augel having lain off two months for refusing to sign a release similar to the one that has been read?—Answer. He was injured. I don't know that he laid off on that account. He slipped back on a car frame and fell on a hammer handle that went right into his body and injured him very badly.

Q. Do you know the reason why he did not return to work?—A. Because he was not able to work.

Q. After he recovered did he go to work?—A. After he recovered he went to work as soon as he reported for work.

JOHN G. WEST sworn and examined.

By the CHAIRMAN:

Question. How long have you been employed as an engineer on the Missouri Pacific road?—Answer. I have been on the road fifteen years and have been running an engine nearly eleven years.

Q. Do you know anything about this strike?—A. No; I do not know anything but what I have heard.

Q. Do you know the cause of it?—A. No, sir; I do not.

Q. Have you heard any of the strikers state what the cause was. A. I have heard none of them express an opinion about it at all.

Q. Do you belong to what is known as the Brotherhood of Engineers?—A. I do, sir.

Q. Had you any contract or any agreement with the railroad company?—A. We have a contract made and entered into by Mr. Hoxie, at that time third vice-president and general manager, and the contract represented the engineers on this part of the system.

Q. What is the substance of it?—A. Well, I do not know that I could go to work and explain it. The substance of it was that we should perform an amount of work for a certain rate of pay; that is as near the substance of it as I can get.

Q. Since this agreement was made have the company kept it with you?—A. They have.

Q. Have you kept it with them?—A. We have.

Q. Did your brotherhood as a body promise the Knights of Labor that if they struck you would give them aid?—A. It is against the principles of the constitution and by-laws to recognize any other body of labor.

Q. Do you remember of any engineers or firemen; either as a body or as individuals, declaring that they would aid the Knights of Labor in the strike?—A. I have not myself, and I do not know of anybody that made any promise in regard to any matter of that kind.

Q. Might it have taken place without your knowledge?—A. Such a thing might have been done; there are black sheep in every fold.

HARRISON EVERETT sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Denison.

Q. How long have you resided here?—A. About seven months.

Q. What is your employment?—A. I have been working for the Missouri Pacific company since the 19th of March.

Q. What were you at work at before?—A. I was at work at the carpenter's trade.

Q. What are you doing for the Missouri Pacific now?—A. Helping a blacksmith.

Q. Since you have accepted employment have you had any threat made toward you, or any intimidation practiced upon you?—A. When I first commenced to work for them two men came to me and told me that I had better quit work, for if I did not I would get hurt. I told them if I did I would lose my job. This was the second day after I went to work.

Q. Who are they?—A. I do not know. They are not railroad men.

Q. What are their names?—A. I would not wish to give their names. On the night of the 24th or 25th eight or nine men came to my house. There were that many, but only two of them said anything to me. Two of them told me that if I would just quit work they would agree that I should have a job when the strike was over.

Q. Did you know these men?—A. No, sir; I did not know any of these men. They were masked and wore masks over their faces, and had a cloth put over their faces to their eyes.

Q. Give the rest of the conversation.—A. I told them all that I had a right to work when and where I pleased; that they had the right to work, if they wanted to, and that I too had the right to work where I pleased. After I went into the house they shot off a couple of guns and then they left. Then, in a night or two or three nights after I had got to work, between nine and ten o'clock, as I was going home, five or six men met me and halted me, but they did not say anything more. I halted and then walked backward, keeping my gun on them.

Q. Had you a gun with you?—A. Yes, sir; I had a gun with me.

Q. Do you carry it yet?—A. No, sir.

Q. How long had you had it?—A. For about a week.

Q. Why did you have it?—A. Because I was threatened by those fellows.

Q. And you had it for the purpose of self-defense?—A. Yes, sir; for the purpose of self-defense.

Q. These two men that you spoke of coming to you and talking with you, I understand you to say that they were not railroad men?—A. They were not railroad men.

Q. They were not strikers?—A. They were strikers, but not railroad men at all. They were sympathizers taking part with them.

Q. Strikers in spirit, but not in fact?—A. Participated in trying to get men to quit their work. That is as far as they bothered me.

Q. Then you do not know that the strikers were responsible for their action or that the Knights of Labor were?—A. They were Knights of Labor, but I do not know their names.

Q. Do you know them to be Knights of Labor?—A. Yes, sir; I know them to be Knights of Labor.

JOHN NASSOY sworn and examined.

By the CHAIRMAN:

Question. What was your business between the 5th of March and the 1st of April?—
A. The dray business.

Q. Hauling freight for anybody?—A. Yes, sir; for nearly all the business men and merchants in town.

Q. Did you go down to the depot of the Missouri Pacific to get any freight during that time? Did you get it?—A. I got one load out of a car, and when I went for the second load they told me to stop.

Q. By whom were you told to stop?—A. I do not know; I cannot tell them by name.

Q. Were they strikers or not?—A. They were strikers.

Q. What did they do to you?—A. Well, they asked me who gave me permission to go on the track, and I told them the agent of the Missouri Pacific, and that I had signed for the goods; and they said to me that belonged to those who struck, and that nobody had any right to take anything away. And one time I went on the dray to get to the car and they shoved me out of the car and nearly on the dray, and I took a dray pin to him, and so quick as he saw that I was coming he reached for his hip pocket, and I put the dray pin back and went on.

Q. Had you previously gone to the agent to get authority to take the goods?—A. Yes, sir; it was for the Waters Pierce Oil Company.

Q. You were not permitted by these strikers to take the freight?—A. Yes, sir; they stopped me?

HARTFORD MAGEE sworn and examined.

By Mr. PARKER:

Question. You are an engineer and had charge of an engine and were in the employ of the Missouri Pacific during March and up to the strike?—Answer. Yes, sir.

Q. Have you heard the evidence that has been given here as to the injuries of engines and other property by the strikers?—A. Most of the evidence that I have heard has been since dinner.

Q. So far as you saw, were these statements correct?—A. So far as I saw and so far as I know, they were.

Q. Had you any special experiences?—A. Only in switching the passenger trains. The Knights of Labor had their switchmen and the Missouri Pacific had theirs, and the Missouri Pacific switchmen went along and did the switching.

Q. Was that a passenger or freight train?—A. A passenger train.

Q. Anything further that you recollect different from what the others have stated?—
A. Nothing that I know of.

Q. Did you lay idle during this strike?—A. The greater portion of the time. We are paid by the mile, and I only made \$26.

Q. And are all engineers paid in the same manner?—A. Yes, sir; the road engineers are.

Q. How much do you ordinarily earn when the freight business of the road is active?—A. Well, I paid no particular attention, but I presume \$145 a month on the division I am on, between here and Muscogee.

Q. Had you during this month all the service that you could do?—A. No, sir. My engine went into the shop on the 20th of February and the strike detained her until the 19th of April, when she should have been out of the shop by the 7th or 8th of March.

Q. How much wages have you lost on account of the strike?—A. I presume \$125.

Q. How many engineers are there employed on the same division?—A. Twenty-five regular engineers and four extra engineers.

Q. How much, in your judgment, was the average loss of those engineers by reason of the strike?—A. Freight men lost everything. They made nothing.

Q. They had to lay idle and support themselves and families, without being able to work?—A. Sometimes a passenger man would lay off, and would give a chance for an extra man to make expenses.

Q. So that by the good will of the passenger engineers they would sometimes help a brother engineer in that way?—A. Yes, sir.

Q. Was there any assistance given by those who struck to the engineers or any other class of workmen not included in their order?—A. No, sir.

Q. And the understanding was that the Knights of Labor in the striking locality were aided by the assessments upon Knights of Labor all over the country?—A. Yes, sir.

Q. I wish to know whether the Knights of Labor assisted any others of those who were thrown out of employment during the strike?—A. I can only answer that the engineers had no assistance from them.

Q. And, so far as you have information, none of the firemen?—A. None of the firemen.

Q. (By Mr. OUTHWAITE.) Are you a Knight of Labor?—A. No, sir.

Q. (By Mr. PARKER.) Was there not the same relative loss to the classes of railroad employes who did not go out on the strike?—A. Yes, sir.

Q. Then the making of the "interest of one the concern of all" did not apply to the engineers and most of the others who were outside?—A. No, sir.

ANDREW A. HARRISON sworn and examined.

By Mr. OUTHWAITE:

Question. What is your business?—Answer. I am a locomotive engineer.

Q. For what road have you been employed recently?—A. By the Missouri Pacific Railroad.

Q. What experience had you during the strike?—A. I came in here on passenger engine 151, on March 6, the day of the strike, leaving here at 1.50 p. m. There were some committee men on my engine; I do not know the names of but one of them. Joseph Gettler said they wanted to do some switching with the engine. The yardmaster was standing by the side of the engine and I told them he was the man to attend to that. I told Gettler that I would only answer him by saying that it was senseless of men to switch those cars with a passenger in them, and that I could not give up my engine to him to do it. The yardmaster ordered me to the house with her, and they went to the house with me. Gettler said, "We want to do some switching with her. The yardmaster is not running this yard here." I said to him, "I am running this engine, and while I am running her under the instructions of the proper officers of this company I will not give her to you." So they left me then and took 26 to do the switching.

Q. Did they switch the passenger cars?—A. They set out the passenger and baggage cars.

Q. Where the passengers in this train?—A. I do not know; but they would have to couple cars into the train and to couple and uncouple cars with it.

Q. What further experience had you with the strike?—A. Well, I remained here most of the time during the strike. The only experience I had, I was present the day when the arrests were made, but I do not recollect the day of the month; it was probably the 25th.

Q. You substantiate what has been said by other witnesses whose evidence you have heard?—A. Yes, sir.

Q. If there is any other feature of the strike that has not been testified to, please state what it is.—A. I think there is not; I think everything has been testified to.

Q. You observed that there was a general loss to the train servers on account of this strike?—A. Yes, sir.

Q. To those men who were not Knights of Labor?—A. Yes, sir.

Q. Do you know anything of any promises given to the Knights of Labor by any engineers, or by the engineers' society, that they would help them in case they had a strike?—A. No, sir.

Q. Before the strike?—A. No, sir.

Q. Did you lay off during the strike?—A. Yes, sir.

Q. Did you lose anything by it?—A. Well, I have not received anything. I was ordered off by my organization. That is, the private business organization.

Q. That is, so far as you are concerned, did you make the ordinary runs and wages resulting from them?—A. I drew thirty-one dollars and some cents from the company.

Q. What office do you hold in the Locomotive Engineer Society?—A. I am chief engineer of Local Division 177.

Q. (By the CHAIRMAN.) Were all the passenger trains mail trains?—A. Yes, sir.

Q. (By Mr. OUTHWAITE.) Have you received anything from the company for the time you were off?—A. Nothing definite yet about it. I do not know that I will get anything or that I will not. My organization will be supposed to reimburse me for my lost time.

Q. Were you requested by anybody to lay off and stiffen up the backbone of the engineers so that they would not help the strike?—A. No, sir, not by any officers of the road.

Q. Were you?—A. I was ordered by my division to see that our men were not intimidated, as much as possible; to see when they went on deck that they had others to stand by them. And I made it my business to be there and walk ahead of the engine to see that the switches were all right and to protect them as much as possible in the performance of their duty under the contract with the company.

Q. What do you mean by the chief of the division?—A. Superintendent of the division of the National Brotherhood of Engineers.

Q. (By Mr. PARKER.) Was this Alvarado disturbance in your district?—A. It is in the jurisdiction of this division.

Q. Was any investigation made as to the cause of that disaster by the engineers or by yourself?—A. Nothing more than the verbal report of the engineer injured.

Q. Do you know, or have you reason to believe, that that train was ditched or that other trains have been injured on account of the refusal or failure of engineers and firemen to support the strike?—A. It would simply suspicion of the engineers. It was suspected that it was done for the purpose of intimidating them; but I do not know anything about it.

Q. Was a reward offered by the company to ascertain the names of the parties guilty of that injury?—A. I understand so, but I have not seen that reward.

JOHN G. HARTIGAN sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Denison, Tex.

Q. How long have you resided there?—A. In the neighborhood of ten months.

Q. In whose employ?—A. In the employ of the Missouri Pacific Railroad Company.

Q. In what position?—A. As assistant superintendent of the Missouri, Kansas and Texas division, south of Denison.

Q. Would any release given by employes to the company for injuries sustained while in the employ of the company be known to you?—A. I have charge of that.

Q. A form of release is produced here. Is it the form required by the company to be signed by the employes who have been injured while in the employ of the company? Have you any other form than the one that has been exhibited here?—A. The form has not been in use for the last nine months. I have here the regular form of claim of the claim agent's voucher on which all claims against the company are now brought. All classes of claims either personal or otherwise are put on one form now.

Q. Have you that form with you and do you wish to introduce it?—A. I have the one form now in use.

Witness here read the form, as follows:

CLAIM AGENT'S VOUCHER.

The Missouri Pacific Railroad Company to ———, Dr.

Address ———

188—. In full accord and satisfaction of all claims and demands against ——— and the Missouri Pacific Railway Company, its leased, operated, and controlled lines of railway, for personal injuries received while in the employ of said company as ———.

And I do hereby fully and forever release and discharge said companies from any and all claims of whatever kind or character I may have on account of or arising from said accident or injuries, in consideration of the sum of ———.

Correct:

Examined and authorized:

Claim Agent.

Approved for payment:

General Claim Agent.

Third Vice-President.

Received, ———, 188—, of the Missouri Pacific Railway Company ——— dollars, in full for the above account.

Witness:

(Across the face.) Alterations or erasures must not be made in this voucher. If not accepted as made it must be returned for correction.

Q. (By Mr. OUTHWAITE.) State whether you know of anybody being compelled to sign that kind of a release before re-employment.—A. The release being required before we employ simply means that there must be a settlement for the injury before the man recommences service on this division. I generally make the settlements myself with the parties injured in the locomotive and car departments. If the injury is slight they make

no claim, but go to the master mechanic's office and sign this release. If it is considered a nominal matter the release sometimes states \$1 as paid, but sometimes it is not that amount mentioned. And when the parties injured are dangerously injured and are considered entitled to any compensation for loss of time or otherwise, they generally come to my office from the master mechanic, or they are sent there, as it is the claim office, and there settlement is made upon the best terms we can agree upon. Sometimes, if the injury is slight, it is partial payment for loss of time; sometimes all that would have been due to them and that they would have earned if they had not been injured. Very frequently and in most cases they are paid when the company is not at all liable, or so considered by the attorneys of the road; but rather than bring up any trouble and keep men out of employment longer, the company agrees to pay them something. I have paid fifteen or twenty claims in six or eight months in which the company was in no way liable, and so stated by the men. They had been hurt and been out of employment for some time, and we paid them for partial loss of time in some instances, and in some instances full time, acting under the advice of the attorneys.

Q. The rule of the company is to have a settlement before re-employment?—A. The settlement must be made before resumption of work.

Q. Do you know of any cases in which features have arisen under which the parties received nothing whatever?—A. I do not know that I do. In cases where persons make no claim I give them the dollar. A number of these releases are signed in the master mechanic's office, where I do not know whether they have received the dollar or not. But I do not know whether that is so or not, and I cannot tell you that.

Q. You may state whether a man named Adam Freigenstein signed any of these papers without any compensation, even of a dollar.—A. I never heard of such a name; he might have done it, but I have never heard of that name.

R. C. FOSTER recalled and examined.

By the CHAIRMAN:

Question. How long have you been practicing law?—Answer. Twenty-five years, I suppose; possibly not so long.

Q. How long have you been employed as a railroad attorney?—A. I was employed first as railroad attorney in 1875. I was appointed under the receiver of the Missouri, Kansas and Texas, at that time William Boone, and have been ever since the attorney of the company.

Q. You have had eleven years' experience as a railroad attorney, then?—A. All of that.

Q. Have you given special attention to that employment, or have you taken general practice?—A. I have taken very little general practice. There is a great deal of business connected with the company's interest, and it has required almost all my time.

Q. Then you have given this labor question a good deal of consideration, I presume?—A. No sir, I have not; if you mean in any other way than its legal aspect.

Q. That is what I mean. You are familiar, of course, with the laws of Texas, civil and criminal, as they affect questions that may arise between their employes and the corporations?—A. I am somewhat familiar with the laws of Texas upon those questions.

Q. You are also familiar with the laws of Congress as they affect these questions?—A. Somewhat.

Q. Do you think that any additional legislation, State or national, is necessary for the purpose of settling differences between the corporations and their employes and preventing strikes?—A. I am inclined to think that our State laws on the subject might be very much improved. For instance, I was asked some question to-day in regard to the matter of throwing a switch for the derailling of a train, and if that was a felony. The language of the statute is ambiguous, and I said I doubted whether it was a felony under a strict construction of the laws. I am inclined to believe that the laws on the subject—that is, our State laws—might be materially improved. There is another trouble connected with the remedies that are provided; all of these offenses of course are bailable. The parties have no difficulty in getting bond, and going right back to their work. The laws, as they seem to me, fail in meeting such cases as we have in these strikes, except what might be made by Congress. I do not know that I am capable of suggesting what they should be; but it has occurred to my mind that there should be some legislation fixing penalties for interfering with interstate commerce, and there should be some legislation on the certainty of wages, and timely notice of reduction, and, if it can be made practicable, something with reference to the arbitration of difficulties.

The CHAIRMAN. That is exactly what I desired to call your attention to. Have you sufficiently considered this question to be able to make any suggestions to the committee in regard to legislation for the prevention of strikes, and not for the purpose of imposing penalties upon strikers?

The WITNESS. I do not think I have, Mr. Crain. I do not think I can make any suggestions to the committee that would be of any advantage on that subject.

The CHAIRMAN. We desire suggestions as to the necessity or not of legislation that might prevent these disturbances, if possible—something in the nature of arbitration between the railroad companies and their employés.

The WITNESS. If it could be made practicable I think it would be well, but I do not know whether it may or may not be.

Mr. BUCHANAN. The remedy so far as indicated by you seems to be rather in the nature of providing punishment than for remedying or changing the conditions out of which the result grows!

The WITNESS. Yes, sir.

Q. Have you had your attention called particularly to the consideration of the subject as to the exact extent to which the carriers of interstate commerce are amenable to Federal legislation?—A. No, sir; I do not know that I have. I do not know that I take in the whole scope of your question, either.

Q. You spoke about interstate commerce. My question is, whether you have considered how far the carrier who is employed in carrying interstate commerce would be amenable to Federal legislation. In other words, how far Congress can control the operations of the common carrier simply because he is carrying on interstate commerce?—A. Well, I have not considered the question with respect to legislative action. I have heard that Congress enacted a law on that subject.

Q. Have you considered as feasible any measure that Congress might impose?—A. No, sir; I cannot say that I have. The idea suggested to my mind in a general way is about as I have stated it to the committee; that is, that we have legislation similar to that for the prevention of interference with the transportation of mails; I am inclined to think that it could be done under that clause of the legislation which regulates the mails.

Q. If we have power to enact legislation that would prevent interfering with the carrying on of interstate commerce, would that power further compel the carrier to carry on interstate commerce?—A. Yes, sir, I think so; that is, with interstate lines that extend into several States.

Q. With reference to this question of misplacing a switch, and doing other damage to railroad property, or any of these acts to intimidate, would they not be offenses under the common law, independent of statute?—A. I do not understand that there are any common-law offenses in Texas. We have a code, and that includes only such offenses as are defined in the code.

Q. Are there no provisions in your code that deal with common-law offenses?—A. No, sir; I may state to the committee that the whole body of our criminal laws are contained in our criminal code.

The CHAIRMAN. There is a special provision that nothing shall be criminal which is not defined in the code.

Q. You draw a distinction between local railroad and interstate railroads. Do you consider that railroad is an interstate railroad which is wholly within the territory of a State, beginning and ending in that State, but that still connects with other roads running through that State and into other States, and that carries freight and delivers it to the interstate road?—A. I would hardly consider that an interstate road, and yet it might be connected with an interstate road by traffic with other lines.

Q. (By Mr. BUCHANAN.) What do you mean by an interstate railroad?—A. A railroad running from one State into another State. The Missouri, Kansas and Texas Railroad line is a corporation created by the State of Kansas. They came here, and by special act it is a corporation created by the State of Texas.

Q. Which, in point of fact, is an enabling act?—A. Yes, sir.

Q. And is really in the nature of a supplemental charter?—A. Well, in one sense it may be so.

Q. (By Mr. PARKER.) Is it not necessary for the proper protection of railroad employés that they should have some organization or association so that they can approach the officials of the road with any grievances they think they have, or any injuries they think they have sustained, without being subject to loss of wages or discharge or other penalty?—A. I am not sufficiently familiar with their wants to say it is necessary. I think it very proper that they should have such organizations. I think the idea is a good one; that the labor interest should have organization whereby they may act in harmony.

Q. Is not a man who is at work for a railroad and has a family somewhat at the mercy of his employers, if he owns lots or owns land, unless he has some avenue of approach by which he can go to his superiors in position and have his wants and rights considered?—A. Such person would undoubtedly be to some extent at the mercy of the management; but, at the same time, as far as my observation goes, all those employés have the right to approach the management now, just as well individually as collectively.

*Q. As to these rights you have not thought of national provisions for them?—A. Well, my observation does not extend beyond my connection with these lines here.

Q. I inferred that you had looked more to the State penalties— A. My attention has been necessarily more drawn in that direction.

Q. Than toward a provision for alleviation or conciliation?—A. Yes, sir. I should very much like to see either Congress or the State Legislature enact some measures that would open up a way to alleviation, to present this field of discovery yet unexplored.

JOHN J. HARTIGAN recalled and examined.

By Mr. OUTHWAITE:

Question. Have you received a letter under seal from the local assembly of Knights of Labor stating that protection would be given to the passenger and mail trains?—Answer. I received such a communication signed by the Local Assembly 3690, Knights of Labor.

Q. Have you a copy of it?—A. Yes, sir.

(Copy was here introduced as follows:)

DENISON, TEX., March 10, 1885.

To J. G. HARTIGAN,

Superintendent Missouri Pacific Railway, Denison:

You are hereby notified that all Knights of Labor of any and all departments of the service are at the service of the company to perform any and all kinds of repairs necessary to secure the safety of passenger and mail trains. Subject to the orders of this body.

EXECUTIVE BOARD, L. A. 3690, K. of L.

Attest:

B. L. SHAW,

R. S. pro tempore.

WYATT OWENS (colored) sworn and examined.

By the CHAIRMAN:

Question. How long have you lived in Denison?—Answer: Ever since 1875.

Q. Have you worked for the Missouri Pacific Railroad Company?—A. Yes, sir.

Q. How long?—About seven or eight or nine years.

Q. In what capacity?—A. The first work I did was on the work train.

Q. Were you at work for the railroad company on the 6th of March?—A. Yes, sir.

Q. What were you doing?—A. I was a laborer up in the car department.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Are you one now?—A. Yes, sir.

Q. Do you belong to the colored organization of the Knights of Labor?—A. Yes, sir.

Q. Did you go out on the strike?—A. Yes, sir; I went out on the strike.

Q. Why?—A. For the rates of wages. I cannot live on what I was getting—\$1.25 a day.

Q. Was the only reason for your going out on a strike the fact that you were getting \$1.25 a day and could not live on that?—A. No, sir; it was not the only question; because in 1885 they promised to restore our wages to the September, 1884, rate. To the best of my knowledge, they promised to give us \$1.45 a day. When the pay-car came around they did not pay us \$1.40, and the question was raised; and they said they could not pay that, and that the rate was \$1.25 in September, 1884. I told them that I was getting \$1.40 for the same work, and other men were getting \$1.25. Mr. Bailey cut us down to the same as they paid these other men.

Q. When was this cut-down in the wages?—A. It was in 1885.

Q. What time in 1885?—I cannot remember exactly what time.

Q. Was it not in the spring?—A. Yes, sir; it was in the spring.

Q. Did you work from that time until the 6th of March, 1886, for \$1.25?—A. Yes, sir.

Q. Why did you not strike during that period of time if you could not live on \$1.25 a day?—A. I thought they would restore our wages according to the agreement. They said they were working on it.

Q. Who said?—A. Some of the members; I do not know exactly who said so.

Q. Working on what?—A. Working to get our wages restored.

Q. You mean that you were living in hope?—A. I was living in hope.

Q. Did you return to work?—A. Yes, sir.

Q. When?—A. I do not exactly know when it was.

Q. Did you go back when Mr. Powderly issued his order?—A. Yes, sir.

- Q. Ordering, or directing Mr. Irons to order, the men back to work?—A. Yes, sir.
- Q. How long did you work?—A. I worked five days.
- Q. When did you stop work?—A. Well, they arrested me.
- Q. Who arrested you?—A. Mr. Whiteside; I believe that is his name.
- Q. What position did he hold?—A. He is Mr. Douglass's deputy.
- Q. Deputy sheriff?—A. Yes, sir.
- Q. Upon what charge did he arrest you?—A. For being in the raid upon the shop that night.
- Q. What night do you mean?—A. That night that the raid was made upon the round-house. They took me and put me in jail, and they put me in irons and forced me to tell something, and to say something to the jailer.
- Q. What did he question you about?—A. They tried to make me say I was down there. They went out and staid about fifteen minutes and the jailer was out in the yard talking, and Whiteside told the jailer to chain me down. He chained me down with irons all night, and kept me that way all night.
- Q. Who told the jailer to do that?—A. I understood the deputy sheriff to do that.
- Q. Did you resist the jailer?—A. No, sir; I never resisted any at all; I told him "all right."
- Q. How did he chain you?—A. He chained both legs, and by a chain right around me, and I could not do anything but lie down on my right side all night.
- Q. Did you rest?—A. No, sir; I did not rest a bit.
- Q. What kind of a jail was it; was it a safe jail?—A. It was a safe jail; built of rock.
- Q. What reason did he assign for that treatment?—A. I do not know, sir, except to make me tell something I did not know anything about.
- Q. You were not a convict?—A. No, sir, I am not a convict.
- Q. Have you been tried?—A. No, sir, I have not been tried.
- Q. Are you out on bond?—A. I am out on bond now.
- Q. Did Mr. Whiteside come back and converse with you after you were chained?—A. He came back the next morning and cursed me around a little.
- Q. State what he said.—A. He said that he wanted to get any evidence that I could give. He said, "I am not after you colored men; I am after those white sons of bitches." I told him I did not know anything about it; but that I would tell him the truth, and directly he kept pumping around, and I told him something, and he took me out of there and took the chain off one leg. He would not allow me bond before my trial. He took me from the roundhouse and took me to jail.
- Q. (By Mr. BUCHANAN.) How long did you stay in that jail with a chain on?—A. From half past 6 to half past 10; and from Thursday to Saturday night I staid in jail and had a chain around one leg all the time.
- Q. You say that you could not live on \$1.25 a day; how much family have you?—A. A wife and one child.
- Q. What rent have you to pay?—A. I have no rent to pay now.
- Q. Were you in the employ of the company in September, 1884?—A. Yes, sir.
- Q. And you got how much then?—A. I don't remember, but about \$1.40.
- Q. They cut that pay when?—A. In the spring of 1885, some time.
- Q. Did you agree to have it reduced from \$1.40 to \$1.25, or was it done without your consent?—A. It was done without my consent.
- Q. Were you in the strike of 1885?—A. Yes, sir.
- Q. Did you strike against that reduction then?—A. Yes, sir.
- Q. And after the strike was over did you get your \$1.40 back again?—A. No, sir.
- Q. You never did get it?—A. No, sir; I never got it.
- Mr. PARKER. What was the name of the jailer that chained you?—A. I do not know his name.
- Q. Do you know whether he is in town now?—A. He is jailer now.
- Q. (By the CHAIRMAN.) Have you made any complaint against him for it?—A. No, sir; I have made no complaint against him.
- Q. (By Mr. OUTHWAITE.) I am requested to ask you whether you were ever arrested before?—A. I was never arrested before, and was never in the court-house as a witness.
- Q. Are you certain that you were paid \$1.40 in 1884?—A. Yes, sir.
- Q. You signed the pay-roll?—A. I do not know about signing the pay-roll.
- Q. In September, 1884, you signed the pay-roll for some amount?—A. I disremember now.
- Q. Did you ever sign any papers when you got your money?—A. I touched the pen.
- Q. You signed the pay-roll for the amount of wages which were coming to you?—A. I do not remember.
- Q. Well, did you make your mark, or do you write your own name when you get your pay at any time?—A. I always touch the pen; that is all I can do.
- Q. And you afterward got all the money that was coming to you?—A. All that was promised me.

Q. Did you ever work without getting your time and a half?—A. I never have got time and a half.

Q. Where were you working?—A. Round about the round-house and car shops.

Q. Did you ever go to your boss and complain about not having received the amount of wages that you ought to get?—A. No, sir; not as I remember of; I cannot remember now.

Q. Had you any talk with any officers of the road about not getting the pay that was coming to you?—A. I told Mr. Bailey that I was not getting the pay that I was paid before; that is, I was not getting \$1.40 a day.

Q. After that you went to the local assembly of the Knights and complained to them?—A. Yes, sir.

Q. (By the CHAIRMAN.) Were you not working on the road on work trains in September, 1884, when you were getting \$1.40 a day?—A. I was working down at the round-house in 1884.

Q. Were you not working out on the road in September, 1884, and getting \$1.40 a day; was that not the regular pay for that work?—A. I got \$1.40 a day all the time I worked on the work train.

MICHAEL J. MURRAY sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you live?—Answer. Denison, Tex.

Q. How long have you lived here?—A. About fourteen months.

Q. How long have you been employed by the Missouri Pacific Railroad Company?—A. About fourteen months.

Q. Are you a Knight of Labor?—A. Yes, sir.

Q. What position do you occupy in that order?—A. I am a member of the local executive board.

Q. What do you know as to any overtime being made without extra compensation to the men in the boiler shops?—A. In the boiler department, where I worked, I being a member of the executive board, I have had a great deal to do in regard to overtime, &c. That is, the employes would complain when they did not receive satisfaction from the officials. There are several cases in which employes of the boiler department, in coming to me, stated that the contract as agreed to was that they should receive time and a half for overtime, and that it had not been lived up to. Where they had to travel on the road to do duty out of Denison they thought that they would receive the same pay for traveling time as for overtime, and they complained that they received five hours' travel for ten hours' travel. They claimed that they ought to receive fifteen hours for ten hours' travel on the road.

Q. In the daytime?—A. At night-time and Sundays.

Q. Coming home or going to work?—A. Yes; going to jobs and coming home also. For instance, there is a job in Dallas of repair work. A man would take a little of the stock, enough to be able to repair the job, and then he would go to Dallas and do the work. In case he should travel in the daytime he would expect nothing but ten hours' pay, but when he traveled at night-time he would expect fifteen hours' pay for overtime if he traveled ten; but he only received five. The officials of the road, as I understood, said to me when I went to interview them in regard to it that the master mechanic did not think they ought to get more than five hours, and that they thought that was enough—five hours' pay for ten hours' travel.

Q. Was that subject ever adjusted?—A. It never was.

Q. Was it ever adjusted or specifically mentioned at any time?—A. It was mentioned to the officials of the road by some members of our order. Then they came to me and asked me to take it in hand, and it was before the master mechanic. There was an instance of this kind, and I went to the foreman and asked him about it, and he said he was working under the orders of the master mechanic, and he was not allowed to give more than five hours in time for traveling. I then reported to the employes who were members of the order and working in my department, and stated that it would be better to have a committee wait on the master mechanic, and if they could not adjust the trouble we would appeal to the district executive board. We failed to adjust the trouble at Denison. I was not on the board at that time, but got on it just shortly before the trouble was settled. Our district master workman so informed the committee, and said that he was going to Palestine to visit the superintendent there and see if he could not have it settled. He went to Palestine, and returning said to a member of the committee that he had made the necessary arrangements with the superintendent to pay time and a half for all overtime over ten hours, a day's work. And of course they expected to get that. I never go on the road myself. I never went but once or twice. I did not want to refuse to go and raise any disturbance, so if I was asked to go I would ask the foreman to get somebody to go in my place. I have always got out of going. After our district

master workman had adjusted the trouble with the superintendent in Palestine and had stated that they would get time and a half, one of the employes in the boiler department went on a trip and he received but five hours, receiving but half time. It never was laid in my hands afterward. That was shortly before this strike took place. We had a good deal of correspondence about it.

Q. Is there anything more that you know in relation to this matter that caused the strike?—A. Well, as far as the strike is concerned, it has been rumored and testified by other parties that the strike was ordered on account of the discharge of Mr. Hall. I would like simply to say that Mr. Hall's case was the last straw, and that there were a great many other grievances. We had been requested to state if we would sustain our superior officer in a demand for the increased pay of unskilled laborers who were receiving a dollar and fifteen cents a day, and ask for a dollar fifty.

Q. Are you an officer of that order?—A. I am an officer of the district.

Q. These are matters of record, and you have papers showing that there were grievances, and that demands had been made upon them?—A. Yes, sir.

Q. You may bring them here this evening.—A. Sometimes we received these papers, in secret circulars or circular letters. Whether they would allow the circular letters to be shown or not I do not know.

Q. Well, I was going to say that you may bring the circular as to the origin of this strike.—A. I have not got it in my possession; but the officers of this assembly have it. I am not certain whether they have it or not, but all papers of that kind are ordered to be filed. I do not know whether they preserved it or not.

Q. You have not got a copy of it yourself?—A. No, sir. Then shortly afterward we had a report from our board that Mr. Hall, a member of the district executive, had been discharged on his return to the shop after attending the session of the board; but we never expected that there would be any serious difficulty over his case, and in fact it never led us into the strike. The point that we were striking for more than anything else was that we wanted the unskilled labor, such as section-hands, that worked eleven and twelve hours a day, and received but a dollar and fifteen cents a day, to have their wages raised, and after we found that it would be impossible to make terms with the railroad officials or managers, that we determined we would make the strike. It was on these grounds that we made the strike.

Q. As a record of this is kept the transaction was a matter that was in a written communication to the company, was it not?—A. Yes, sir.

Q. All these things should be presented to this committee to have their proper weight?—A. I do not know whether our secretary has them filed or not; but I presume they could be procured from him if he has them.

Q. Were you here during the strike?—A. Yes, sir.

Q. Have you anything to say as to the killing of engines or the other matters which have been testified about here?—A. As far as the killing of engines is concerned, I know nothing of any of it. I never have been implicated in it. I have never seen one of the engines killed that I remember of. I understand that it is stated that they have killed engines and disabled them, but when it was done or whether it was done I do not know. I have never been on the company's premises even; but the first time I undertook to go there I was arrested by an officer and was taken to jail. I asked the charges he had against me, and he said it was for unlawful and disorderly assembly, I think he stated. I gave bond in \$500, and was released to appear in the court of the justice of the peace next morning. The case was postponed, and then there was another charge against me. I could not at that time give bond, and was forced back to jail again, where I staid for the space of about five or six hours, until some of my friends secured bond for me. I was then permitted to go, and I walked away. About two days afterwards I was arrested again by an officer with a warrant—the first warrant that was ever read to me. I asked him what the charge was, and it was not mentioned in the warrant what the charge was, and I do not remember that he said what the charge was, and I was arrested and sent off to jail again. I staid there for four hours and secured bond to appear, and was notified to appear, as I thought, the first Monday in this month. I did not appear until this last Monday to stand my trial. I entered the court-house with my attorney, and met with some officer there and had a conversation with one or two of them and then left. On my way down the street to see a business man there on a little business I was arrested again by an officer who presented me with a \$500 bond, charging riot. I asked him if he did not think that charge against me had been made previous to that time. I am perfectly satisfied that he arrested me upon the same charge that I had given him a \$500 bond upon previous to this time. When I was notified to appear in the court for a contempt of court I appeared and they failed to make a case against me and I was discharged. When I was discharged I was notified that my case was thrown out of court. Shortly after that I asked one of the officers how many charges they had against me. He said he did not know. I asked him if he could get up any more charges. I think that

the whole thing was to intimidate me as much as possible and put me in jail as often as they could. I think they considered me as one of the leaders and merely aimed to hold me by putting me in jail.

Q. Where were you arrested the first time?—A. I was standing here on Main street. I was one of the five persons that the officer spoke of arresting in his testimony this morning. The case was for disorderly assembly, as he said before the court. The case has never come up, and they stated that they knew nothing about it in speaking of those five that had been arrested on that charge.

Q. (By the CHAIRMAN.) Did you file an answer to the charge of the contempt of court, in which you contended that you had not been served with a writ of injunction?—A. I had no knowledge that I was served with a writ of injunction. I did not file an answer, only when I was on the stand at Dallas I told my attorney that I gave my bonds, and I said that in fact as far as the case was concerned, that I was never served with an injunction, and if I was served with an injunction I did not think I had violated any laws of the country.

Q. Were you sworn in court?—A. I was sworn in court. I cannot remember whether he asked me this question. I do not remember; but I told the district attorney in the private room previous to this time that I was not served, and I also told my attorney; but I filed no answer in writing.

Q. (By Mr. OUTHWAITE.) Did your attorney for you file an answer?—A. I do not know whether he filed an answer or not.

Q. Was not that your defense, that you had not been served?—A. That was my defense in the case that I was tried in.

Q. You stated that the case was thrown out of court?—A. I stated that I did not know whether I was asked this question.

Q. Just before you were arrested had you been on the company's grounds?—A. I had not.

Q. Had you been on the company's grounds at any time when an effort was made to check the movement of trains?—A. No, sir; I was not.

Q. Have you been on the company's grounds at any time since the strike up to this day?—A. No, sir.

Q. Not at all?—A. Not that I remember of at any time.

Q. Would you remember that if you had been?—A. I have been on the company's grounds previous to the time that the officers came with these injunction writs. I have never been there with any particular business, but merely walked through the yards.

Q. How were men served in the injunction matter?—A. I never saw the officers until I was arrested, but I understand from some members of our organization that there were officers there before that transaction.

Q. (By the CHAIRMAN.) Please tell me the name of the man who was sent out and made a claim for time and half.—A. His name was Rosbottom.

Q. Name the men who worked on section-work for a dollar and fifteen cents a day.—A. I am not supposed to give the names. It is contrary to the constitution and by-laws of our order to mention the names of members of our organization that way.

Q. (By the CHAIRMAN.) I am not asking you the names of members of your order but the names of section-men who worked twelve hours a day for a dollar and fifteen cents.—A. I am not very well acquainted with them, and I am not well acquainted with their names. I do not know all the employes of the shop, although I know them when I see them. I remember of it being spoken of in our assembly-room and a request made to take it in hand.

Q. Were any of these grievances complained of presented to any railroad officials before the strike?—A. I do not know of that myself. All this business is in the hands of the district board. We have the little local grievances that we can attend to, but when it comes to a general increase of the wages we cannot act upon it.

Q. I am asking about these men who work eleven and twelve hours for \$1.15 a day and the men who were sent out and made a claim for time and a half?—A. That has been presented to Mr. Clark, our master mechanic, for adjustment. I do not remember the answer, or when the answer was given. I was pushed at the time and did not have an opportunity to talk about it.

Q. Can you give the date when that man was sent out?—A. I suppose he can state that better himself.

Q. (By Mr. PARKER.) You say that a strike would have occurred if Hall had not been discharged?—A. Well, I would not be certain about that. I only stated that Hall's case was one of the grievances.

Q. Did you understand that a strike would have occurred if Hall had not been discharged?—A. To the best of my belief it would.

Q. Before what day would it have occurred?—A. I cannot say the date.

Q. Did you not understand that there was an intention to strike by the 1st of May in any event?—A. I understood that from the newspapers and correspondence that asked our feeling in regard to the demand for eight hours' movement.

Q. Did you not understand that there was to be a strike upon this system before or by the 1st of May?—A. No, sir.

Q. You never heard of that until now?—A. I never heard of that.

Q. You never heard of any such intention?—A. I did not know of any such intention and never heard anybody speak of it.

Q. Do you not know that it was intended to have a strike this spring?—A. No, sir; I do not.

Q. You never have understood that?—A. I never have understood that.

Q. Was this matter of grievances in the hands of the local executive board?—A. These grievances—that is, the increase of wages of some of our laborers here in the shop, that has been spoken of several times. One man who testified here this morning spoke of it at one time.

Q. Tell us again whether you understood that the local grievances were in the hands of the local executive?—A. The local grievances were in the hands of the local committee at this time.

Q. Had you not understood for some time previous to the report of the discharge of Hall that a strike was expected on this system during the spring or early summer?—A. Well, I did not understand it to be a true fact.

Q. Do you know it was in contemplation?—A. No; I did not know. It was only just mentioned as an outside rumor among the people. They said that that agreement which was made by the company had been violated and that they thought that some day soon there would have to be another strike to have those grievances adjusted.

Q. What particular grievances?—A. This time and a half and this reduction of laborer's wages.

Q. What did the section-men receive per day in September, 1884?—A. That I can not say. I was not here at that time.

Q. (By Mr. OUTHWAITE.) Do you know that the strikers generally said that this strike was caused by the discharge of a man named Hall on the Texas and Pacific road?—A. I have heard no one man to my knowledge say it was the discharge of Mr. Hall on the Texas and Pacific.

Q. Do you know that the strikers did say anything as to what was the cause of it?—A. I do not believe they did. They never got instructions as to what it was for. They never had instructions from Marshall that mentioned it.

Q. (By Mr. PARKER.) Have you ever taken any part in a strike before this one?—A. I never have but one time. I was foreman in a small shop in La Fayette, Ind., and the employes were dissatisfied about not receiving their wages regularly, and I simply locked up the shop.

MR. OUTHWAITE. Look at that (showing a joint letter to John Doyle, foreman of the car-shops, dated Denison, Tex., March 4) and see if it is an order sent by your lodge.

THE WITNESS. (Examining paper.) Yes, sir; it is.

Q. Was its request complied with?—A. Yes, sir.

The paper was introduced and read, as follows:

[Red River Assembly, No. 3690, Knights of Labor.]

DENISON, TEX., March 4, 1886.

MR. JNO. DOYLE, Esq.,

Foreman Car-Shops, M., K. T. E. R., Denison, Tex. :

SIR: You are hereby notified that on and after this day all Knights of Labor will refuse to repair T. & P. or N. O. & P. cars until further orders. Please don't insist, for we must refuse.

M. J. MURRAY,
J. P. MACKEY,
J. A. ARNOLD,
Local Ex. Board, L. A. 3690.
JACOB B. PIFER, *M. W.*

[SEAL.]

(Stamped on seal:) Denison, Texas. Founded March 16, 1885. Red River Assembly. S. O. MM. No. 3690.

Q. You say that was complied with?—A. As far as I know it was until the strike, and we do not know of any instance where any of the employes had repaired Texas and Pacific cars after that.

MR. BUCHANAN. Did I understand you correctly that one of the causes of the strike

was the demand that the wages of the unskilled laborers should be raised from \$1.15 a day to \$1.50 a day?—A. Yes, sir; that was one of our grievances.

Q. Was that grievance presented to the officers of the company?—A. That was in the hands of the district executive board, and they stated that it would go.

Q. Is it possible for me to find out in any way whether that grievance was presented to the company?—A. By calling on the district executive board of No. 101.

Q. You have said that this was a cause of a strike, and you have gone out on a strike that has led to a great destruction of property, to depression of business, and serious physical injury to many persons. Now, I ask you whether you know that that grievance was ever presented to the company before the strike?—A. That I cannot answer, simply because I am only a member of the local executive board, and this was in the hands of the district board. We received a communication asking us if we would sustain them in that demand for unskilled labor to be increased to a dollar and fifty cents.

Q. Then you have no knowledge whatever as to whether this cause of the strike was ever presented to the company for consideration before the strike occurred?—A. Only from conversation between members of the board after that time. He told me that all these grievances had been presented to the company.

Q. What is his name?—A. He did not say whether it was before or after the strike. I do not remember to have asked that.

Q. What is his name?—A. George Lyman.

Q. Does he live here?—A. Yes, sir.

Q. Is he in town to-day?—A. I do not know.

Q. Did he state whether he presented it or that he had personal knowledge who presented it?—A. He did not say who presented it.

Q. When had you this conversation with Mr. Lyman?—A. This was some week or two weeks after the strike had taken place.

Q. Then you struck without any knowledge as to whether this grievance had in fact been presented to the company before you struck?—A. I struck in obedience to demand.

Q. Will you be kind enough to answer my question?—A. I can just simply say to that I belong to the organization.

(The question was here read to witness). Then you struck without any knowledge as to whether these grievances had in fact been presented to the company or not before you struck?—A. Yes, sir.

Q. This matter of time-and-a-half for riding and other work, had you a case of that kind of your own?—A. No, sir; I have never traveled on the road since I have been employed here.

Q. (By the CHAIRMAN.) Under the rules of your order what was your duty with reference to the grievances complained of?—A. It was my duty to obey orders given me by superior officials.

Q. You do not understand my question. You say you had grievances?—A. Myself? I did not have any grievances.

Q. Members of the local assembly presented grievances to you, did they not?—A. Yes, sir.

Q. Under the rules of your order what was your duty in connection with those complaints?—A. It was my duty as a member of the executive board, after these grievances were presented to me, to find out whether they were as stated or not.

Q. Did you investigate them?—A. I investigated several of them.

Q. What was your duty after you made this investigation?—A. It was then my duty to use all the influence in my power to have them adjusted, and if I did not succeed to present them to the district executive.

Q. Was it in your power to have them adjusted?—A. Well I do not know.

Q. What did you do with the list of grievances that you complained of?—A. They still lie as they were at that time. They still lie, as I have never taken any action on them.

Q. Did you send them to the district board?—A. Not until this district board should have them investigated.

Q. What was the next step taken in connection with this complaint about unskilled labor?—A. Well, it was a subject that I cannot state as to what steps the district board have taken.

Q. But the local assembly voted upon the question whether they would sustain the district board if it ordered a strike, did it not?—A. Yes, sir; I voted upon that question.

Q. Did the district board order a strike?—A. Yes, sir.

Q. What was your duty under the laws of your organization when the district board ordered a strike?—A. To order out all men belonging to our order and to preserve order as much as we possibly could.

Q. Did you follow that law of your order?—A. To the best of my ability.

Q. (By Mr. BUCHANAN.) Was there any complaint in your hands with reference to

this question of unskilled labor?—A. There was not. The complaints that were in my hands were simply those that were in the shop, where we have men employed here as laborers in the yards, such as the wipers. I understand we had men receiving \$1.40 a day, and after one would quit, or one of them would be laid off or taken to another department, they would hire colored men in the places of white men that were so transferred and pay them \$1.25 a day. Some of these colored men were members of the organization, and they asked us if we could not do something for them. This was just shortly before the strike took place. We took hold of it, and I think one of the members of the executive board did something in it.

Q. You said you were a member of some board—what board?—A. The local executive board.

Q. As such did these complaints as to unskilled labor come into your hands?—A. As far as that shop was concerned.

Q. What did you do with these complaints?—A. I merely spoke about it to the committee. And as soon as we had an opportunity we would investigate and see what we could do. We encouraged them to keep in till the district executive board should have time to take action on it.

Q. Did you investigate it?—A. I never went into it.

Q. Did you send it to the district board?—A. No, sir.

Q. Give me the date at which these complaints first came into your hands?—A. I cannot give the dates.

Q. How long before the strike?—A. I suppose from five to six weeks.

Q. Up to the time of the strike you had not investigated them?—A. No, sir.

Q. Nor forwarded them to the district board?—A. No, sir.

Q. You did not know that the district board forwarded them to the company?—A. I did not know whether they did.

Q. Then how are you able to say that the laborers' grievance was one of the causes of the strike?—A. This was the unskilled laborers, the unskilled men that were receiving \$1.15 a day. That was what was in the hands of the district board.

Q. Had any complaint as to that come into your hands as a member of the local board?—A. No, sir.

Q. And by you been forwarded to the district board?—A. No, sir. As I said, I had a member or two whose names I could not remember, and I did not think it necessary to speak about the matter. One of them had said that he had been getting \$1.15 a day. He asked me what I thought the Knights of Labor could do for him, and I told him that I did not know anything about it.

Q. And this is all the grievance that you can now speak of, and that is all the action you took?—A. On the \$1.15 to \$1.50 a day.

Q. (By Mr. BUCHANAN.) You were asked as to what was your duty. I simply wanted to know what you did.

Q. (By the CHAIRMEN.) Do you know whether this matter was in the hands of the district board by reason of complaints that had been made from this city?—A. Yes, sir. The correspondence that we have was that they had it in their grievances, and it was assumed that they were to present it.

Q. What was it that you voted on?—A. We voted on that. That we would sustain the executive board in the demand for an increase in the wages of unskilled labor from \$1.15 a day to \$1.50 a day.

Q. Was that before or after the discharge of Hall?—A. It was before the discharge of Hall.

Q. How long before?—A. I am not quite sure, but I think it was six or seven days.

Q. Was there any other complaint except the one that you spoke of respecting the wages of unskilled labor?—A. Nothing at all; only some rumor amongst the boys here.

JOHN S. JOHNSON sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Denison, Tex.

Q. How long have you resided in Denison?—A. Nine years.

Q. What is your occupation?—A. I am a railroad man. I have followed two occupations since I have been in town. When I first came to Denison I followed the trade of a boiler-maker.

Q. What did you work at in Denison for the railroad company?—A. As a boiler-maker at first, and after that I was employed as a machinist.

Q. Were you foreman of the machine-shop at any time during the past year?—A. Yes, sir; on March 6 I was foreman, and had been for fifteen months.

Q. Did you go out on the strike with the rest?—A. Yes, sir.

Q. Did you make application to the company again for work after the strike?—A. I did, sir.

Q. When?—A. When Mr. Powderly issued his circular. I do not know exactly the date.

Q. To whom did you apply?—A. To the foreman of the car department.

Q. Were you put on again?—A. No, sir.

Q. What answer was given you?—A. That my name was scratched.

Q. Was any reason given for it?—A. No, sir.

Q. Had you been prominent in the strike?—A. No, sir.

Q. Had you any reason to suspect that you were thought to have been guilty of interference with or destruction of the company's property?—A. I did not have any reason to do so, because I have not done anything to have them think so.

Q. Has any charge been made against you?—A. No, sir.

Q. Have you applied since then for work?—A. I applied then to Mr. Clark, and he took my name, the same as he did with the balance of them.

Q. The result of that application you are not yet apprised of?—A. I am not aware of the result of that application.

Q. Others besides yourself applied this morning?—A. Yes, sir.

Q. Have you ever been injured while in the employ of the company?—A. Yes, sir.

Q. What was your injury, and when did it occur?—A. About a year ago, as near as I can remember, I had a car-sill fall off the plainer bed, on account of being short of help in the shop. It was crooked, and it fell off and injured my ankle.

Q. How long were you off duty?—A. About eight or nine days it was before I was able to go down to the shop at all.

Q. When you came down to the shop what was requested of you?—A. That evening after I had worked, the timekeeper requested me to sign a release for the company.

Q. Did you sign one?—A. Yes, sir.

Q. What did you receive for signing it?—A. The release said "in consideration of one dollar," but I never received the dollar to my knowledge.

Q. What else did the release say?—A. That I should not bring any suit against the company. That is all.

Q. What was your other injury?—A. Well, I had that finger there [indicating] cut off in the machinery, in the saw-mill. I got my finger too close to the saw and it was cut off.

Q. When did that occur?—A. About four months ago.

Q. How long were you off duty at that time?—A. Only about four days, because the foreman told me to come down and look after the shop; that I did not need to do much work.

Q. Did you sign a release as to that also?—A. Yes, sir.

Q. Who presented that release to you?—A. I do not know that I can speak his name; he is the timekeeper.

Q. How much did you receive for signing that release?—A. Nothing.

Q. Did you intend in these cases to make a claim against the company for injury?—A. No, sir.

Q. You did not expect to present any claim?—A. No, sir; because I did not consider my injuries sufficient to bring a claim for them, and I wanted my job in the shop.

Q. Did your injuries result from carelessness of any other employé of the company?—A. No, sir.

Mr. OUTHWAITE (exhibiting to witness Claim Agent's Voucher, Form 813). Is that the form?

The WITNESS. Yes, sir; that is a copy of the release.

Q. (By Mr. BUCHANAN.) That is a copy of the last one you signed?—A. Yes, sir.

Q. (By Mr. OUTHWAITE.) Did you sign that both times?—A. They both read the same. In some places you have got to state how you were hurt, and who was by, and all those things.

Q. Is there a general idea among the men who work in the shops that for every injury they receive while in the employ of the company that they have a dollar claim against the company?—A. No, sir.

OBADIAH ORGAN (colored) sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. I live out here east of town, about the Fourth ward.

Q. How long have you lived there?—A. About two and a half years.

Q. Have you been in the employ of the Missouri Pacific road?—A. Yes, sir.

Q. For how long?—A. Ever since I have been here.

- Q. What did you do?—A. I am a laborer in the car shop and handle lumber.
- Q. When you first went to work what were your wages?—A. One dollar and forty cents a day.
- Q. Do you remember the strike of 1885?—A. Yes, sir.
- Q. What were your wages up to that time?—A. Along about September \$1.40, and I think it was October \$1.25, and running down to January some time when they were cut down to \$1.25.
- Q. And January of what year?—A. January a year ago.
- Q. They were then cut down to \$1.25?—A. Yes, sir.
- Q. What were your wages at the time of the strike in March, 1885?—A. I got \$1.25. I believe the strike was in March. In January, I think, they cut us to \$1.25.
- Q. And in March there was a still further reduction?—A. I think it was. There were four or five of them, and they cut it down to \$1.10.
- Q. And then you struck?—A. Yes, sir.
- Q. After you went to work after the strike of 1885, what wages did you get?—A. One dollar and twenty-five cents.
- Q. How long have you been receiving \$1.25?—A. I have been receiving it ever since.
- Q. Up to the time of the last strike?—A. Yes, sir.
- Q. Did you go out on the last strike?—A. Yes, sir.
- Q. Are you a member of the Knights of Labor?—A. Yes, sir.
- Q. Are you now working for the company?—A. Yes, sir.
- Q. When did you begin to work for them again?—A. Three or four weeks ago.
- Q. About the time Mr. Powderly's letter came out?—A. Yes, sir.
- Q. Have you been at work for them ever since?—A. Yes, sir.
- Q. At what rate?—A. One dollar and twenty-five cents a day.
- Q. Did you ever work Sunday work?—A. Yes, sir.
- Q. How often?—A. About every Sunday. Some Sundays I have got a lay-off.
- Q. How many hours do you work on Sunday?—A. Ten hours a day.
- Q. What do you get for that?—A. One dollar and twenty-five cents.
- Q. Do you only get \$1.25 for Sunday work?—A. I never received any more.
- Q. Are you certain that is all you get?—A. When I work thirty days I get \$37.50.
- Q. Who is your foreman?—A. Mr. Tuley.
- Q. Who pays you?—A. I get my pay from the pay-car.

WILLIAM H. WINSTON sworn and examined.

By the CHAIRMAN:

- Question. How long have you lived in the city of Denison?—Answer. Since 1881.
- Q. What has been your occupation?—A. That of a blacksmith.
- Q. In whose employment have you been?—A. The Missouri Pacific Company.
- Q. Did you go out on the strike?—A. I did.
- Q. What did you strike for?—A. I struck because everybody else struck. I do not know what I did strike for; because I was a Knight of Labor, I suppose.
- Q. Do you mean that you did not know what you struck for, but just obeyed the order and went out?—A. Yes, sir.
- Q. Did you attempt to go back to work?—A. I did on Mr. Powderly's order.
- Q. To whom did you apply?—A. Mr. Clark, the master mechanic.
- Q. Did he take you back?—A. No, sir.
- Q. Why?—A. I asked him what I had done, and he spoke to Rich and he told him then that "he was too numerous around engine 129; he made himself too officious around 129."
- Q. Had you been "too numerous" around 129?—A. I was around there all the time while the fun was going on.
- Q. Did Mr. Clark promise to investigate your case?—A. I saw him next day, and he said to me that he would look over it. I told him I had not done anything.
- Q. Have you ever heard of his investigating it?—A. No, sir; I never heard of him investigating any; but I went and saw him last Thursday and had a talk with him.
- Q. What was the result of that talk?—A. He told me if I brought a withdrawal card he could give me a job.
- Q. What was your reply?—A. I told him I could not, because they were not giving any.
- Q. Did you tell him he had no right to discriminate against anybody?—A. I told him I did not think it right to deprive me of making a living, and he answered me if I could not work here I could work somewhere else.
- Q. Have you a family?—A. I have.
- Q. How large?—A. A wife and two children.

- Q. Have you a home in Denison, and do you own it?—A. I do.
- Q. Have you made the money which purchased that home since you commenced to work here?—A. I have, sir.
- Q. Did you go out on the strike a year ago?—A. I did, sir.
- Q. Have you applied to the company since this strike has been declared off?—A. I went down this morning and met our men coming from the office, and they said if they were needed they would be called. I did not go around.
- Q. Are you out of employment, and have you been since the 6th of March?—A. Yes, sir.
- Q. Have you any means of living?—A. I have enough to keep me for a little while.
- Q. If you do not get employment from this company what will be the effect?—A. I will have to leave town.
- Q. The only reason why you failed to go down this morning was that you met so many coming away who said that they would be called for when needed. Is that true?—A. Yes, sir; that is the reason, and that was the answer I got from all of them; and I thought it was scarcely worth while for me to go any further.
- Q. Did you take an active part in the strike?—A. I cannot say that I did.
- Q. Were the wages that you received a year ago after the strike the same as you received in September, 1884?—A. Yes, sir.
- Q. Then that part of the agreement was kept so far as you were concerned?—A. Yes, sir.
- Q. You say you struck without knowing what you struck for?—A. Yes, sir; I did not know what I struck for, any more than that I struck. I struck because I belonged to the order.
- Q. Because you were ordered by your superior officers to strike?—A. Exactly.
- Q. And you attempted to get back into the employment of the company when Mr. Powderly issued his order, about the last of March?—A. Yes, sir.
- Q. And they refused you because you were a Knight of Labor?—A. He did not say that because I was a Knight of Labor then. He said that last Thursday.
- Q. He promised to investigate your case, then?—A. Yes, sir.
- Q. And subsequently you applied again?—A. Yes, sir.
- Q. And then it was that Mr. Clark talked about the withdrawal card?—A. That was on Monday.
- Q. What was your reply?—A. I told him I could not, because they were not giving anything of the kind.
- Q. You told him he ought not to discriminate against you?—A. Yes, sir.
- Q. Did Mr. Clark tell you he had ten or twelve of these withdrawal cards in his office?—A. He told me had some in his office. He told me they were more than twelve months old.
- Q. Are you anxious to get into the employment of the company now?—A. I want to make my living.

By Mr. PARKER :

- Q. Have you ever been in any other strikes but these two that you have spoken of?—A. Yes, sir.
- Q. How many?—A. Three or four, I believe.
- Q. Have you ever been in a lockout?—A. Not till this time.
- Q. What is the difference between a strike and a walk out?—A. I cannot see any difference between when we strike and when we walk out.
- Q. What do men who belong to unions and other organizations understand to be the difference between a strike and a walk-out?—A. Well, sir, I cannot see that there is any difference. I would like to have you explain it to me.
- Q. Now, as an expert on strikes, I wish to know of you if in your judgment a mere walk-out would amount to anything unless measures are taken to prevent other men occupying the places of the men who walk out?—A. Well, I did not prevent any man from taking my place.
- Q. I am not asking what you would do, or what was done here, but my question is, would a mere walk-out amount to anything unless measures are taken to prevent other men taking the places of the men going out?—A. It would not amount to anything.
- Q. What would it have amounted to in this case if you had merely walked out, and no person had interfered with the engines and the movement of trains?—A. It would just merely amounted to nothing; everything would have gone on if the trains had not been prevented from running.
- Q. And other men would have been running the trains?—A. Men could have run the trains had they failed to oppose them.
- Q. If as capable men were found to run the trains and do the work as were in before, the business would scarcely have been disturbed?—A. Not at all, sir.

Q. Therefore is it not necessary, to make a strike effective, to prevent the use of engines and trains by other people?—A. Why, sir, it would not be effective if we did not prevent the use of trains.

Q. Did you not know that when you went out?—A. Well, I did not know hardly; I never thought of that.

Q. Do you not now?—A. I cannot say that I ever thought of it.

Q. Do you know it now?—A. It is shown in a different light.

Q. Was not the object in killing engines to prevent the running of trains here and to make the strike effective?—A. I suppose it was.

Q. You know those who killed the engines prevented the running of trains, do you not?—A. I do not know that.

Q. You do not know who the individuals were who did it?—A. I did not see any of that.

Q. (By Mr. OUTHWAITE.) What evening was that you alluded to as being around that engine?—A. There was some pushing and hauling going on around there, and I was standing round looking at it.

Q. Did some men climb up on the engine?—A. There were three or four men on the engine. I do not know who they were besides the engineer and fireman.

Q. Was there not some one besides the engineer and fireman?—A. I did not see any more.

Q. Was that the time that some men were arrested?—A. No, sir; I do not know that any men were arrested there.

Q. Was anything done to this engine at that time at all?—A. I do not think that they could have done anything. Some water was flying around.

Q. That was killing the engine?—A. No, I do not know. I believe the engine was killed, or something of that kind. I do not think she was living when I got there to see her.

Q. That is the fun you were looking at?—A. Yes, sir.

Q. You did not take any part in it, as you say?—A. No, sir.

Q. (By Mr. PARKER.) Suppose you were to receive employment again, what would there be in the way of your going next week if another strike was ordered?—A. I would like to know what I was striking for.

Q. With your present experience, if you were employed by the company you would feel it your duty to go out if ordered?—A. No; unless I knew what I was going out for.

Q. Unless it presented a just case to your personal judgment?—A. Yes, sir.

J. ROBERTS STREHORN sworn and examined.

By the CHAIRMAN:

Question. How long have you been employed by the Southwestern system?—Answer. Three years the 12th of this month.

Q. Are you in the employment of the company now?—A. I was until the 6th of March.

Q. What is your occupation?—A. I am a machinist.

Q. When did you leave the employment of the company?—A. On the 6th of March.

Q. Voluntarily, or otherwise?—A. Because I was ordered out.

Q. By whom?—A. By the Knights of Labor.

Q. What ground was assigned for ordering you out?—A. I belong to the assembly, and I went out because the assembly went out.

Q. Is that the only reason you can assign?—A. That's all.

Q. Do you mean that you went out without knowing what your grievances were?—A. Yes, sir.

Q. Did you apply for work afterward?—A. Yes, sir.

Q. When?—A. When Mr. Powderly's circular came out.

Q. You mean the order instructing Martin Irons to direct the men to resume work?—A. Yes, sir.

Q. To whom did you apply?—A. C. W. Clark.

Q. Is he the master mechanic?—A. Yes, sir.

Q. Was your application granted?—A. No, sir.

Q. On what ground was it refused?—A. That I was a Knight of Labor.

Q. Did he say that he could give you employment if you brought a withdrawal card?—A. Yes, sir.

Q. What did you tell him?—A. I did not give him an answer. I could not get one.

Q. To whom did you apply for one?—A. To the board of the assembly.

Q. Through what official?—A. The master workman.

Q. And he declined to give you one on the ground that withdrawal cards were not issued?—A. Yes, sir. They did not have them, and therefore he could not issue one.

Q. What was your object in asking for your withdrawal card?—A. Well, I understood the rest of the men that went back got them, and I did not think I was doing justice to myself unless I made application to go back myself.

Q. Why did you apply to the assembly for a withdrawal card?—A. Because I wanted to go to work.

Q. Did you go back and tell Mr. Clark that you could not get one?—A. I did. He told me he had withdrawal cards, and I told him I was refused one.

Q. Did he still refuse you employment?—A. Yes, sir.

Q. One side denied you a withdrawal card and the other side denied you employment without a withdrawal card, and the result was you had to remain idle, was it?—A. Yes, sir.

Q. What reason did Mr. Clark assign, if any, for demanding a withdrawal card from you?—A. He told me that was his order from Mr. Hoxie.

Q. Have you applied to him for employment since?—A. I believe I did a week ago. I made application.

Q. What was his reply?—A. The same as it was before.

Q. Have you applied since the strike was ordered off?—A. No, sir.

Q. How old are you?—A. Going on twenty.

Q. Are you a full-fledged machinist?—A. I have been working very near six years. I have been three years here.

Q. What wages did you receive at the time of the strike?—A. Two dollars and seventy-five cents a day.

Q. What grade is that?—A. As I understand that was machinist's wages, the highest they were paying.

Q. Are you married?—A. No, sir.

Q. Is any one dependent upon you for support?—A. No, sir; I live at my father's.

Q. Your difficulty is that men denied you employment on one side and a withdrawal card on the other.—A. Yes, sir.

Q. Are there such things as withdrawal cards?—A. I have not seen one, but I was told that there were by different persons.

Q. Did not Mr. Clark tell you that he did not hire any one except men with families, and he would give you a job as soon as he put on apprentices?—A. No, sir; he did not tell me that.

Q. What did he tell you?—A. I was refused employment. He did not tell me anything about families, or anything else about apprentices either.

ENOS H. PALMER sworn and examined.

By Mr. PARKER:

Question. What is your business?—Answer. I was in the bridge department until I resigned.

Q. The bridge department of the Missouri Pacific Railroad Company?—A. Yes, sir.

Q. How long did you work for them previous to March?—A. It had hardly been a month. I came over here to take charge of the pile-driver and gang on the 8th of February.

Q. At what rate?—A. Eighty-five dollars per month.

Q. What wages had you received previously?—A. Well, I had been at work for the Texas and Pacific. When I left there I was getting \$2.60 a day.

Q. Then you came here and went to work for \$85 per month?—A. Yes, sir.

Q. How long had you been working here?—A. A month lacking two days—from the 8th of February to the 6th of March.

Q. Were your wages reduced during the time?—A. No, sir; I have no grievances at all myself; only those of men that were working under me.

Q. You may state what their grievances were.—A. I got a telegram to come over here and take charge of the driver. I came over and went to the general foreman's office and was referred to Mr. Hartigan. He told me that he would send me out on the evening train. This was on the 5th, and he gave me a pass down to the gang. He also told me before I went out that there would have to be some reduction in that gang; and I went out and Mr. Billy Moss was there. I was out with him on Saturday night and Sunday evening and went back out on Monday morning. A telegram came to me for me to reduce my men, rating one man \$2.60 and one at \$2.20, and the balance of my gang from \$1.50 to \$2, as I saw fit.

Q. How many men were there under you?—A. Seven.

Q. Did you go on and notify them as to the amount of wages to be paid?—A. Yes, sir; I did. I think Mr. Billy Moss told me that he received the same telegram on Saturday morning—the first morning I went out with him, and three of the men that were here quit.

Q. What wages were they receiving?—A. They were getting \$2.25.

Q. What did the other men get?—A. There were four of them at work.

Q. What did you do as to the three vacancies?—A. I got orders if the men did not work for it to wire here, and I did so, and was answered that I would be sent men as soon as possible.

Q. Did they come within a day or two?—A. I think they came the second day afterwards.

Q. Have you knowledge from their declaration that they received the same amount that was offered to those men who went out?—A. Of course they received what was offered the men that went out, and what I could have offered. They just told me they would not work for that, and I just told them that I could not help it. Those were the men that went out.

Q. And those who did not go out continued at the reduced rates?—A. Yes, sir; some of them; one at reduced rates from what he was getting before.

Q. Have you any knowledge as to what those men received in September, 1884?—A. I cannot tell you exactly. It is a hard question. I was working on this other road, but it was under the same management at that time.

Q. What was there about the rebuilding of a bridge during the strike?—A. I do not know whether it is necessary to state anything about that or not.

Q. Did you build a bridge?—A. I helped.

Q. When was it injured, and in what way?—A. It was on the night of the 16th or 17th of March.

Q. Where was this bridge?—A. It was just this side of Howard station, the first station this side of Fort Worth.

Q. How did the injury occur to it?—A. It was burned.

Q. How did it catch fire?—A. I cannot tell.

Q. Was it understood to have been set on fire?—A. I was down on the evening of the 17th with Mr. Ray. I heard him say that he smelt coal-oil around the bridge when he first went there.

Q. Did you assist to rebuild it?—A. Yes, sir.

Q. Under whose directions?—A. Under Mr. Schell's.

Q. Under whose direction was he at work?—A. Under Mr. Hartigan's, I suppose.

Q. Were you a Knight of Labor then?—A. I belonged to the order.

Q. What advice did you receive from the Knights of Labor, if any, as to aiding in rebuilding that bridge?—A. I went to one prominent knight and told him that a bridge had been burned. He said, "Go ahead and put that bridge in shape, so that passenger trains can get over."

Q. (By the CHAIRMAN.) What is the condition of that bridge now?—A. I have not been there since we left it on the night of the 17th of March.

Q. Has it been repaired since?—A. That is what I have understood. I do not know that it is so. I have only understood; in fact, Mr. Beatty told me he had been there and drove the bridge since he took charge.

Q. Did men who were Knights of Labor work on it beside yourself?—A. I think there were; I am pretty sure there were.

Q. How did you come to quit the company after that?—A. Simply because I got a letter from a party that told me that I could get a job from him. I had written to him and asked him for the job. I quit, giving Mr. Schell due time to get somebody in the place. I told him to get a man to go out with the driver to fill my place.

Q. Have you quitted the company?—A. I quit.

Q. Have you obtained other employment?—A. I am not doing anything. I had a promise of another job as soon as I felt like going to it. I staid with the cars until I think about the 17th of March. I came back up on the 18th of March, and was called by Mr. Schell to send down and drive that bridge, and I told my men to fix up and load their tools, and they told me that "they would not work without orders from the strikers," or "Knights of Labor." I do not know which they said now. Of course I went to the office and reported it. The bridge master asked when they would be ready to work, and I sent the message just as they gave it to me, "When they get orders from the strikers." Then I got orders to arrange for men that would report when called upon in times of emergency, and so I had to send the men's time in, and when I sent the men's time I wrote a letter and told Mr. Schell. He told me to get men, and I went down town. I tried to get men, but could not get them, and then on Saturday evening I came back and reported to Mr. Schell, and he just said: "I will send you men. Order the driver out." I went back and staid with the driver and here together, until I think it was the 19th of March I sent in my resignation.

Q. Did not Mr. Hartigan say to you that there were too many high-priced men in the pile-driving gang and that Mr. Clark and the general foreman would try to provide places for those who did not wish to work at low rates?—A. If he told me so I do not remember it at all. I cannot say he did not; he may have told me so.

Q. (By Mr. PARKER.) Is there not a surplus of railroad labor in the Southwest?—A. Well, it seems as though there is.

Q. In your judgment if a strike is limited to a simple walkout would it have any marked effect except to injure those who walked out?—A. Well, in certain departments I think that it would to some extent.

Q. In what departments?—A. In the shop departments.

Q. The places of skilled workmen in the shops can be readily supplied?—A. Well, I think they could.

Q. Without serious damage to the company?—A. I think they could.

Q. (By the CHAIRMAN.) The only parties injured would be the strikers?—A. They are liable to be injured.

Q. (By Mr. BUCHANAN.) What wages did these three men receive that quit work?—A. Two dollars and twenty-five cents per day.

Q. What were you authorized to offer them?—A. I could have put one of them at \$2 by reducing those lower-priced men that I had in the gang, and would have tried to keep these men there, because I thought they understood the work and were entitled to it more than green men would be.

Q. What kind of work did these three men do that quit?—A. Well, you may say it was general labor work. Chopping, principally.

Q. Manual labor which any ordinary unskilled laborer can perform?—A. Of course, but at times they may be called out on a bridge, and as they are used to working on bridges they could do it better than men who had been used to working on the ground.

MILO A. JACOBS sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live at Denison, Tex.

Q. How long have you lived here?—A. Since last September, I believe.

Q. Are you a Knight of Labor?—A. No, sir.

Q. Were you working on the Missouri Pacific system at the time of the strike?—A. Yes, sir.

Q. Did you walk out with the balance?—A. Well, I came in on Saturday evening of the 6th, and I did not go any more to work after that.

Q. You went out a few hours after the others?—A. I came in in the evening.

Q. Did you strike?—A. Yes, sir.

Q. What did you strike for?—A. Because I was only getting a dollar and fifteen cents a day and working eleven hours, and receiving no over-time for it.

Q. How long had you been working eleven hours a day for a dollar and fifteen cents?—A. I commenced the latter part of January and worked up to the strike.

Q. Did it take you that length of time to find out that you had a grievance?—A. We came in our own time of evenings.

Q. Have you tried to get work from the company?—A. No, sir.

Q. Are you employed now?—A. Not at present.

Q. Do you intend to apply to the company for work?—A. Yes, sir.

Q. Would you go back for the dollar and fifteen cents and no pay for over-time and work for the company?—A. If I could not get anything else to do I would have to do so or leave town.

Q. What good has the strike done you then?—A. I do not think it has done me any particular good.

Q. (By Mr. OUTHWAITE.) What were you working at?—A. I was working on the section.

Q. Did you work over-time, or did it take you the time to come in?—A. Well, it was coming in. We would work to probably fifteen or twenty minutes, or as late as five minutes to six, and then would have to "pump in" from 3 to 10 miles. One evening we got in about half-past eight.

Q. (By Mr. BUCHANAN.) Do you claim that when you work for the company at the rate of ten hours a day, the time for you to come home shall be included in the ten hours?—A. Yes, sir.

Q. Is that the rule?—A. That is my understanding.

Q. Is that the rule among section-men that in the ten hours is to be included the time for them to reach home?—A. I believe it is.

Q. And also time for them to go from home?—A. To put the car on at 7 o'clock and take it off at 6 o'clock.

Q. Did you work for this company in September, 1884?—A. I do not remember. I believe I did. The first September I quit, but that has probably been near two years.

Q. Were you in the strike of March, 1885?—A. No, sir.

Q. What wages do you receive?—A. A dollar and twenty-five cents while I was in the roundhouse and a dollar and forty cents in another department.

Q. Did you work on the section as a section hand before this last time?—A. No, sir.

Q. This work that you did previous to March, 1885, was not the same kind of work that you have been doing since?—A. No, sir.

Q. What is the ordinary price for labor round town here?—A. They have been paying a dollar and fifty cents on the water-works.

Q. (By the CHAIRMAN.) Did you ever tell the road master that you had been over-worked and that you wanted extra pay for extra work?—A. No, sir; I never did.

Q. And yet you went out on a strike on that grievance, and never made any complaint to those who had charge of that matter?—A. No, sir.

Q. Why did you not make complaint?—A. Because if I had they would have had another man to take my place.

Q. How do you know that?—A. It was intimated amongst the hands. The hands had discussed it that the foreman could not help working us as he did, and he would have to put on men who would.

Q. You say it was intimated amongst the hands. Who intimated it?—A. It was talked generally amongst the hands that they could get other men, and would put on another man if anything of that kind was done.

Q. Did the foreman tell you so?—A. He did not tell me so. He has mentioned it among the crew.

Q. Did you hear him say anything like that?—A. He has intimated as much as that.

Q. What is his name?—A. Frank Maddox.

Q. You say that he intimated that if you went to the road master and made complaint about it they would put another man in your place?—A. No; not that at all. That if we did not want to work at a dollar and fifty cents there would be another man on the box in the morning who would.

Q. I asked you if you had ever gone to the road master and complained to him that you had been working over-time and demanded pay for it?—A. No, sir.

Q. And you went out without ever presenting your complaint to the proper official?—A. No, sir.

Q. (By Mr. BUCHANAN.) Did you believe that there would be another man on the box unless you refused to work?—A. Yes, sir.

Q. Can you tell us why there is such a pressure to work at a dollar and fifteen cents when the ordinary wages are a dollar and fifty cents?—A. At that time there was not much to do round town, and the water-works had not commenced yet.

Q. You mean then that \$1.50 was the ordinary wages, but that there was nothing to do?—A. I spoke of the water-works. I did not mean the wages where working round town; that is short.

Q. (By the CHAIRMAN.) What was the reason that you did not complain to the road-master that you had worked over time without pay?—A. I had nothing to do with the road-master. Our foreman was the man over us.

Q. Did you make complaint to the foreman?—A. No, sir; nothing particular myself. He knew that himself. It was generally discussed among all of us.

Q. Did you demand from him extra payment for your extra time?—A. No, sir.

Q. Then you made no demand for extra time?—A. No, sir; I was not a Knight of Labor, and therefore I did not make the complaint. I was taking care of myself and family.

Q. The Knights of Labor were not interested in presenting your grievances?—A. No, sir.

Q. Therefore you had to look after your own grievance, and you did not present it to any railroad official that the company might remedy it?—A. I did not.

Q. What is the reason that you did not make complaint in regard to being over-worked and not paid for extra labor?—A. Well, because I wanted to hold my job is the reason. I had a family to support and had no other job at the time.

Q. If you wanted to hold your place why did you walk out?—A. Because all the balance walked out and my sympathies were with them.

Q. You say you wanted to hold your place and therefore you did not complain. What did you mean by that remark? Do you mean to say that if you had made application for extra time you would have been discharged?—A. I did not know who to go to, to the road-master or foreman. The foreman was with us and he could not adjust our grievances, and if we did not want to work there would be another man there.

Q. I want you to answer this question. Do you mean to leave the impression on this committee that if you had gone to the foreman or road-master and asked for extra pay for extra time you would have been discharged?—A. I do not know that I would have been discharged.

Q. Then what do you mean?—A. I did not think he would grant me anything, and

I thought I had better keep still. I thought I would not get it, and perhaps would lose my job.

ELVIS C. ROBERTS sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Denison.

Q. What has been your business for the past year?—A. Well, sir, for the last two years I have been running a grocery up Main street, and during the last four months previous to the strike I was foreman of a gang termed the labor gang in the yard.

Q. Did you go out with the men in the strike?—A. I did.

Q. What was the cause of your strike?—A. Well, sir, it was a general order. I did not belong to the Knights of Labor, that is, the railroad Knights of Labor, at this place. I belong to a separate organization known as No. 2638, and had no connection with this Assembly No. 3690. On the morning of the strike I was rolling wheels out of the round-house there into the back shops. At 10 o'clock when the whistle blew pretty near all in the round-house quit, and they came along and my men and myself are all Knights of Labor, or about three-fourths of them, and they told us to stop work and get out of there, and I, of course, obeyed orders. I thought it was a general order issued.

Q. Were you a member of that organization that ordered the strike?—A. No, sir; I believe not.

Q. Then what order did you belong to?—A. To the general executive board.

Q. Was it a general order?—A. I supposed so. I did not know anything about it.

Q. Are you a Knight of Labor?—A. I am.

Q. Not a member of any organization that ordered the strike?—A. Yes, sir. Well, I do not know. There are two sections. I do not belong to District Assembly 101, 98, or 17. I have really not been in the assembly for six or seven months, and I do not know which one I belong to.

Q. Do you not know under which jurisdiction your assembly is?—A. No, sir; I do not.

Q. And you struck before you ascertained?—A. Well, yes. I have not ascertained yet.

Q. And you do not know whether the assembly to which you belong was in the jurisdiction that ordered the strike?—A. No, sir.

Q. Have you taken any steps to ascertain?—A. No, sir.

Q. Do you not know whether you were ordered to strike or not?—A. I suppose I was; I was a railroad man; I was in the railroad employ and a majority of them went out.

Q. Has the district assembly any jurisdiction over an assembly that is not a constituent part of that district?—A. I do not know whether they have or not. I never really understood the matter a great deal.

Q. Have you made application for work since you struck?—A. Yes, sir.

Q. When?—A. A little over a week ago.

Q. To whom?—A. C. W. Clark.

Q. What answer did he make?—A. Well, sir, I approached Mr. Clark. I have done nothing during the strike really, and I told him I did not belong to the assembly that struck, and said that I had not been on the premises. He just remarked, "How the hell do I know what you have done." It was a pretty rough answer, I thought, but it was on the premises. I had got a warning not to go there. Once in a while where I had business I had gone around, but I had never done anything and was not afraid.

Q. Tell me what his answer was to your application in addition to what you have already detailed.—A. I asked him if I could get my job. He said that he did not want any Knights of Labor. I said: "Mr. Clark, I have not bothered anything, and I have come for business." He said: "There is one way you may get your job; you can go to your lodge and get your withdrawal card and bring it here."

Q. Did you do it?—A. No, sir.

Q. Did you make any attempt to get it?—A. I did not think he had any right to ask it.

Q. Did you make any attempt to get it?—A. No, sir. He seemed to be busy, and I talked with him and he just remarked he did not want any Knights of Labor who would act on orders given to them 2,000 miles off.

Q. You spoke about the injunction writ. Were you one of those on whom the injunction writ was served?—A. Yes, sir. I had never been down town up to that time that the injunction writ was served. Mr. Douglass and Mr. Bayless met me and Bayless said to him, "There he is, you had better catch him," and he hallooed to me, and I rode over to where he was, and he said, "I have got an injunction against you already signed and drawn up." I was not looking for anything of the kind and I said, "Mr. Douglass, I have done nothing." Mr. Whitesides said that he did not care for the Missouri Pacific; all he was after was the dollar or the dollar and a half for serving the writs of injunction.

Q. Was it true that you had not been down from the time of the strike until the execution of the writ?—A. I think it was. The fact of the business was, I have never been about the shops. I may have gone to the depot.

Q. And have not been there since except to ask for employment?—A. That is all.

Q. Were you refused on the ground that you had been guilty of acts of violence?—A. Nothing was said about violence, only the remark I made to Mr. Clark right on the platform of the stairs. I said, "I have not done anything on the premises at all," and he cut me off very short, "How in the hell do I know that?"

Q. He put his refusal on the ground that you belonged to a labor organization, did he?—A. That is exactly what he said.

Q. Are you sure of that?—A. I am certain of that.

Q. Is Mr. Clark master mechanic of this portion of the Missouri Pacific system?—A. Yes, sir.

Q. Did not Mr. Clark tell you that he wanted men that would obey him and not Knights of Labor; that would obey him instead of the Knights of Labor?—A. Yes, sir.

Q. And that when he had waste to work with he would put on the wipers?—A. He may have said something to that effect.

Q. Did he?—A. I am not very certain whether he did or not. Mr. Clark said something about putting on help, but he said he did not want any members in his, that when ordered to strike 2,000 miles away they could get on to it at once.

Q. Have you a family?—A. Yes.

Q. How large?—A. A wife and three children.

Q. Have you a home?—A. Yes, sir.

Q. Any other means?—A. Yes, sir.

Q. Are you dependent upon your wages for support?—A. No, sir; I do not consider that I am, but I am out of work now.

Q. Have you applied for work since the strike has been ordered off, within the last few days?—A. No, sir. I put in my application about eight days ago. I thought that that was sufficient, and did not intend to bother Mr. Clark after he said what he did to me.

Q. (By Mr. OUTHWAITE.) When he spoke to you in that way about not wanting any Knights of Labor?—A. He did not say that in a loving way. He spoke about orders from 2,000 miles coming to make a strike.

Q. At that time you knew that there were already in Mr. Clark's employment any number of Knights of Labor?—A. Oh, yes, sir.

Q. If he told you that he would not give you employment because you were a Knight of Labor, why did you not call his attention to that fact and ask him the reason for making a difference between you and them?—A. I did not know any reason for it, or that he emphatically denied me because I was a Knight of Labor; but he told me to get my withdrawal card and I could have my job, or a job for me, and turned off. I never told him that I would or would not. We did not talk much about it. He did not seem to want to talk with me much about it.

Q. (By Mr. PARKER.) What is your age?—A. Forty-one years of age.

Q. What is your native place?—A. Mississippi.

Q. What wages were you receiving at the time of the strike?—A. I was getting \$60 a month.

Q. How long had you been connected with railroad work?—A. Well, sir, off and on six years.

Q. Have you ever seen any other strikes than this?—A. I was here last March a year ago, but I was not in the employment of the road at the time.

Q. Of course you have considerable familiarity with the railroad business as it is developed here?—A. Well, I have some.

Q. Had this strike been limited to a mere walk-out of the men who struck would there have been any serious results to it?—A. You mean if they had quit work?

Q. Quit work and gone along without any efforts to interfere with men who wished to work, or do injury to any engines, or stopping any trains?—A. I do not think it would have been seriously detrimental to the men's interests.

Q. Could other men have been employed without much trouble to take the places of those who struck?—A. I suppose so. I think so.

Q. Then a mere walk-out would have had little effect except to injure the men who struck and their families?—A. Well, as I said in the beginning, I never took any stock in the strike; but I said at the time that if they had the right to strike, they had to stop business.

Q. That was your opinion; what is your opinion now?—A. That is my opinion.

Q. If they had the right to strike they had the right to keep other men from working and to stop business?—A. If they had sufficient grievances to strike for, they had a

right to stop business. I do not think a man has the right to stop another from working. I do not think a man has the right to interfere with any other man's work.

Q. Do you hold that a striker has the right, in order to make his strike effective, to interfere with the running of trains?—A. I do not see how he could make it effective in any other way.

Q. Do you think a man who strikes has the right to interfere with the running of trains in order to make his strike effective?—A. Well, sir, you have struck me in that point. I do not think a man has a right unless there is sufficient grievance for it.

Q. Suppose the grievances are sufficient to induce the district assembly in its judgment to order a strike, then would you feel that the men were justified, in order to make that strike effective, to stop the running of trains?—A. I would, sir; if the executive committee ordered them to take charge of the property.

Q. Suppose the men taking charge of the property were interfered with, would you justify the killing of engines by the strikers to prevent their being taken to run trains?—A. No, sir; I do not approve injuring property.

Q. But merely taking hold of it and holding it?—A. Yes, sir; I do not approve injuring property.

Q. Suppose the men assuming to take charge of other men's property and preventing the owners using it were crowded out by civil force; would you consider that the strikers would be justified in killing engines, or using force to stop the running of engines and the use of that property?—A. No, sir; I do not approve injuring property under any consideration, or the destruction of property.

Q. And still you know a great deal of it was done?—A. I am satisfied there was.

Q. Would the strike have amounted to anything except to injure the strikers unless that had been done?—A. I do not think it would.

Q. (By the CHAIRMAN.) Did not Mr. Clark tell you that he would take your name and when he required your services would send for you?—A. Yes, sir; about twenty-five days ago, but I went to Mr. Coles afterwards, and Mr. Coles said there was work to be done.

Q. Who is he?—A. He is chief clerk at the storeroom. I told him I had spoken to Mr. Clark about twenty-five days ago, and I believe he told me I had better see Mr. Clark again, or something to that effect, and I spoke to Mr. Clark about it the second time, and he told me he would take my name and would send round after me if he needed me. He asked me where I lived and I told him. I spoke to him two or three times. I have applied to him three times—once in a barber shop, once at another place, and on the 26th I applied to him again at the office.

Q. (By Mr. BUCHANAN.) In this city the employes of the Missouri Pacific Company deemed that they had sufficient cause for striking and leaving the employment of the company; they afterwards, according to the testimony, took forcible possession of the property of the company. Do you now justify their taking such possession?—A. I thought I had answered that question.

Q. Please answer it again?—A. Take charge of the property?

Q. And not destroy it?—A. Yes, sir; I do.

Q. The employes of the Missouri Pacific road in this city understood that they had sufficient grievances to order a strike, or to obey orders for a strike, and leave the employment of the company. They then took forcible possession of the property. Do you now justify their taking such possession?—A. That is to take forcible possession of it and not destroy it?

Q. I excluded "destroying" from my question?—A. Well, I do not know how else you could strike.

Q. They took forcible possession of the property. Do you justify their taking such possession?—A. That is with sufficient ground, with grievances before them I do.

Q. And holding those views you have applied for employment by that very company?—A. No, sir; right there I was going to state in the beginning. After the strike was ordered the strikers should take hold of the property so as to keep it from men that are known as tramps, and to keep the company from running it at the same time. We claimed to guard it at night.

Q. Do you not know that they took possession of the property to prevent this company using it in the freight traffic of the country?—A. I know that they did.

Q. Do you justify that?—A. I do not justify injuring property.

Q. Then you simply justify holding the property?—A. Yes, sir.

Q. Do you justify the employes in preventing the company from using its property?—

A. Well, if it is a general strike, I do.

Q. Holding that belief, you asked that company to employ you?—A. Yes, sir; I do

Q. Would you employ a man that believed he had the right to take possession of your goods if he thought he had a grievance?—A. I would rather do it than to employ a man to do a thing and then go back on him.

Q. Perhaps that may be the reason the company does not employ you?—A. I do not propose to "scab." I do not mean the destruction of property, because I have shown it; and all through the strike I have opposed the destruction of property all the way through.

By the CHAIRMAN. You understood fully the questions that have been asked you?—A. Yes, sir; I think so.

Q. And you have answered them as you desired to?—A. Some of them I may not have understood right clear, but I think I have understood them.

Q. You have stated to this committee that where you think the grievances are sufficient to justify it, from your standpoint, the strikers have the right to take forcible possession of property and to prevent the company from using it?—A. Well, twelve months ago they sustained the men in this. They put them back to work; they had sufficient grounds for the strike.

CHARLES E. BARTHOLOMEW sworn and examined.

By Mr. OUTHWAITE.

Question. How old are you?—Answer. Twenty-six years old.

Q. Where do you live?—A. At Denison, Tex.

Q. How long have you lived here?—A. I have lived here one year and eight months.

Q. What have you been at work at for the past year?—A. I have been at work for about a year and one month for the railroad company.

Q. What railroad company?—A. The Missouri Pacific.

Q. At what work?—A. Tin and coppersmith work.

Q. Did you go out on the strike with the others?—A. I did not.

Q. Have you struck at any time?—A. I struck a year ago last March. That is the only time I ever struck.

Q. Well, I have a memorandum here; is that in your own handwriting?—A. It is not; but I know who wrote it.

Q. Who wrote it?—A. George Osley.

Q. I see it sets forth some causes of complaint of the employes in the tin and copper-smith department. The first is that employes working in that department, since the contract was signed, have never received the same pay or wages that were paid previous to September, 1884?—A. That is true.

Q. Tell us all about that?—A. In September, 1884, the man that was working in my place, the place that I filled at that time, got \$3 a day. When I went to work there I was to have the same pay. I made that agreement with the foreman, and then we had a reduction in wages. That was in January. I forget how much exactly I was cut then. Then we had another reduction in March, and it was cut down to about \$1.90, and then after the strike I only received \$2.50 a day. That is the strike of March, 1885.

Q. What were you getting at the time of the strike of March, 1885, before the strike?—A. It was \$1.90.

Q. And what was it you got afterwards?—A. It was about \$2.50.

Q. Then it got your wages raised 60 cents?—A. Yes, sir.

Q. How soon after the strike did they begin paying you that amount?—A. I received that amount of wages from that day.

Q. What did you say to those who paid you?—A. I did not say anything to them at all.

Q. You did not make any complaint?—A. No, sir.

Q. Why did you not?—A. I did say something to my foreman, and he said he would see the master mechanic and learn what he would say to it.

Q. What reply finally came from the master mechanic?—A. I have never received any reply from the master mechanic.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. At that time?—A. Yes, sir.

Q. Of course you took that complaint to the lodge to be considered?—A. I did not.

Q. Why did you not take it there; that is one object of the order, is it not?—A. Yes, sir.

Q. Did you ever take it to them?—A. I did.

Q. When?—A. A month ago.

Q. Since the strike commenced?—A. Yes, sir.

Q. To what assembly did you call attention to this fact after the strike?—A. Assembly No. 3690.

Q. Of course there have been no particular discussion of it since the strike?—A. No, sir; none that I know of.

Q. Do you know of any cases where men going from home are only allowed half-time for riding?—A. I do myself.

Q. What was the extent of that grievance?—A. Well, I went to Beard—I think that is the name of the place that I went to to do some repairing, and when I came back and gave in my time the foreman told me I would only be allowed half-time for riding.

Q. What did you give in your time for riding?—A. I do not know. I cannot state any price or any amount of time.

Q. How long did it take you to ride down there?—A. It took me about fourteen hours.

Q. About fourteen hours to go down?—A. About six to eight hours.

Q. And the same number of hours back?—A. Yes, sir.

Q. Did you ride in the day or night time?—A. I made three trips down there; twice in the daytime, and I went down and came back twice in the night.

Q. When you went in the day did you get full or half time?—A. I only got half-time.

Q. Was that in the ordinary hours of daily labor?—A. Yes, sir.

Q. As to paying your own expenses, what expenses had you to pay?—A. For board and everything of that kind.

Q. Had you a place to sleep provided for you by the company?—A. No, sir.

Q. Had you to pay lodging down there?—A. I had, one or two nights until I got into the convict train, where they made me up a bed and gave me board.

Q. Did you bring this to the attention of the assembly?—A. I did not.

Q. Never?—A. No, sir.

Q. When did it happen?—A. It happened in September last.

Q. You never brought any part of it to the attention of the assembly?—A. No, sir; I did not.

Q. Then here is a statement as to 35 cents a month for hospital fees, and the money being retained by the company and a demand that this be discontinued. Tell us about that.—A. Well, each and every month the check comes up short 35 cents, and that money, I suppose, was retained by the company; and when I wanted to go to the hospital, or want anything from the railroad company, they have certain places for them to go and if we cannot go there and if there is anything to prevent us going there we must bear our own expenses. I was sick, and they wanted me to go to Fort Worth. I wanted to go to the hospital just before the strike, but the small-pox was raging in Fort Worth and I did not care to go there on that account, and they would not send me anywhere else.

Q. Where are their hospitals?—A. One is in Sedalia, and one in Marshall.

Q. What injury had you received that you felt it necessary to go to hospital?—A. I had not received any injury. It was inflammatory rheumatism in the shoulder.

Q. That you claim you had contracted in their service, and that entitled you to go to the hospital?—A. Yes, sir.

Q. It is stated that the employes were to be paid the same wages that they were paid previous to September, 1884, viz, \$3 per day, at the present time receiving \$2. To what employes has that reference?—A. In the tin and copper smith department.

Q. That did not apply to yourself?—A. Yes, sir.

Q. I thought you said you were getting \$2.50?—A. I was. I said that we were to be paid the same wages as we were previous to September, 1884.

Q. This paper states the employes are to be paid the same wages that they were getting previous to September, 1884, viz, \$3 a day, and they are at the present time receiving \$2 a day. Is not that a mistake?—A. I think it is a mistake for \$2.50 at the present time. The last work I did for the railroad company I only got \$2 a day for it on account of the two hours' reduction in time.

Q. Two hours' reduction of time, that was at the rate of 25 cents an hour. Then this demand is simply a demand for ten hours' wages for eight hours' work?—A. Yes, sir.

Q. That was never made to the company before, was it?—A. I do not know that it was.

Q. Were any of these grievances brought to the attention of the company by any local assembly of the Knights of Labor to your knowledge?—A. Not that I know of.

Q. Then they did not constitute any portion of the cause of the strike?—A. Not that I know of.

Q. Did you not say that you did not go out on the strike?—A. I did.

Q. You did not go out on the strike because of these grievances or because of a general order coming from somebody?—A. I did not go out on the strike at all. I was sick before the strike four weeks, and was not able for duty at the time of the strike; consequently I could not go out on the strike.

Q. Have you any information as to the nature or cause of the strike here?—A. I have not.

Q. And you never heard from any of your fellow Knights?—A. I may have heard a little talk at the time on the street, or something of that kind.

Q. From any fellow Knight of Labor?—A. Nothing definite.

Q. You have never heard anything definite on that subject at all?—A. Well, I do not know that I have a very good memory.

Q. Did you ever hear that it was the refusal of the Texas Pacific Railroad to reinstate a man named Hall, who had been discharged?—A. I heard something to that effect, but I did not believe it.

Q. Whether you believed it or not, did you hear it from Knights of Labor at or about the time they went out on this strike?—A. No, I cannot say that I did.

Q. Have you heard it from Knights of Labor since they have been upon this strike?—A. Since that I have heard some Knights of Labor (I supposed they were Knights of Labor) say that.

Q. Have you ever seen any reasons assigned for the order for the strike?—A. I saw one from Martin Irons, along in March sometime, from the general executive board, ordering the continuation of the strike. That is the only thing I have seen.

Q. That was after the strike had been a failure?—A. Yes, sir.

Q. Do you know anybody who has been benefited by this strike?—A. Well, sir, I think I can name one or two.

Q. What class of citizens has been benefited by it?—A. The grocerymen in town, Culver & Co.

Q. They have a good stock of goods, have they?—A. Yes; they get a good deal of trade. They would not sign what the citizens did here, and would not put their names on that paper, and consequently the boys and Knights of Labor, or the strikers, would not patronize any but these.

Q. Do you know of any other citizens than these who have been benefited?—A. No, sir; I do not.

The CHAIRMAN. After the men went on the strike did they deal with these grocery-men?—A. They did deal with them.

Q. Is not this the rule of the company with reference to the pay of parties sent out on the road: one-half time for riding at night, full time for riding through the daytime, time and a half for all work while on the road performed at night, the party keeping his own time, and being allowed extra time to cover expenses of board?—A. Part of it is, and part of it I do not think is the rule.

Q. How much of it is not correct?—A. That half-time for riding at night, I do not think that is correct, at least that is my understanding. I am not positive, as I am not very well versed in the rules of the company, for I have never worked for them but one year and I never expect to work for them again.

Q. Full time for riding during the day, is that correct?—A. Yes, sir.

Q. Time and a half for all work performed at night, is that correct?—A. That is correct.

Q. The party is allowed to keep his time, is that correct?—A. Yes, sir.

Q. And is allowed extra time to cover expenses, is that correct?—A. I never received any extra time to cover my expenses that I know of.

Q. You state, I believe, that the hospital fee is 35 cents a month?—A. Yes, that was taken from my check.

Q. During the last six months has it not been 25 cents a month on salaries from \$50 to \$100?—A. Twenty-five cents since that.

Q. Last year?—A. There has been more than that taken from my check. It might have been more or less. The check was short.

Q. What was your pay per month?—A. I cannot tell you exactly.

Q. Did you ever complain of being short in your pay check?—A. I complained once, I think, to my foreman; I am not positive. Then he informed me it was hospital fees, and I said no more about it.

Q. (By Mr. PARKER.) How long have you resided here?—A. One year and eight months.

Q. What were you doing in September, 1884?—A. I was working for S. L. Irvine & Co., at Honey Grove, Tex.

Q. When did you first go into the employ of the company?—A. About the 1st of February, 1885.

Q. Were you one of the strikers last year?—A. I was.

Q. What was your birthplace?—A. Union County, Iowa.

Q. When did you recover your health so as to be out?—A. I recovered my health so as to be out about the middle of March.

BURRELL L. SHAW sworn and examined.

By the CHAIRMAN:

Question. Are you a member of the local executive board of the Knights of Labor at present?—Answer. No, sir; not during this term. I was a member of the last term up to last July.

Q. July of last year?—A. Yes, sir.

Q. Did you present any grievances to Master Mechanic Clark?—A. I did.

Q. What grievances were presented?—A. In the first place I think it was that of a colored man who was laboring in his department; but upon investigation we abandoned it; we found that he had no claim.

Q. Did you present the grievances of the boiler-makers?—A. I did.

Q. What were they?—A. They were stated to me by parties that worked in the shop. They did not give me any individual case, but they told me they were required to travel on the road at half-time, which was contrary to the contract of March, 1885. I presented the matter to Mr. Clark, and he said that that was the usual allowance for men traveling after working hours and that it was all he would pay. I think probably I went to him a second time; I am not positive about that; but after being refused that we referred the matter to Mr. Lovin, who was then a member of the district executive board, and I had a talk with him afterwards. He told me that he had seen Mr. Herrin, and Mr. Herrin had agreed all men should have time and a half overtime. Up to the time I was relieved of that charge, and I did not hear anything more of it.

Q. It was adjusted then?—A. That was my understanding.

Q. What was the name of that colored man?—A. I do not believe I can call his name. I do not think he has been on the stand to-day, and I do not think he was working here at the time of the strike.

Q. Were there any other grievances presented by you?—A. I went to Mr. Hardin one time for a man who worked in the transfer-shed.

Q. Did you make any attempt to get the wages of those employés who were paid \$1.15 a day raised to \$1.50 a day?—A. I do not think that that was ever submitted to us.

Q. Do you know anything about the pay of unskilled laborers being reduced?—A. In the car department there were three colored men who had been at work in the machinery department before the strike at \$1.15 a day. My understanding was that they had received \$1.40 a day, and that they were in the strike of March, 1885. After the strike was ended these men, I believe, did not get their wages restored. The management was changed in some way some two or three times in a short time. After the car department was placed in the hands of the master mechanic these men were taken into the gang that was then at work laboring in that department, and they never did get raised to \$1.40. The matter was talked about to me as being one of the board, and it was thought that it would probably be best for them to let the matter go as it was, believing that it might not be to their interest to agitate the question, as it might be considered that they were getting higher pay than others for the same work, and I did not undertake to do anything with it.

Q. You believed then if their wages were raised it would create general dissatisfaction?—A. To be honest in the matter, I thought that the possibilities were that we could not get a higher rate of wages for them, and I thought it better for the men to continue as they were.

Q. (By Mr. BUCHANAN.) The claim of the boiler-makers was that they should obtain one-third more for time consumed outside of working hours, in riding to and from their work, than for the time consumed in work?—A. Yes, as agreed in the contract.

Q. Will you be kind enough to answer me whether that was their complaint?—A. The thing was they received half time for time spent in traveling outside of working hours.

Q. They claimed that they should have time and a half?—A. Yes, sir.

Q. And they claimed that that was what the contract gave them?—A. Yes, sir.

FRANCIS H. SECORD sworn and examined.

By Mr. PARKER :

Question. Have you been employed by the Missouri Pacific Railroad at any time; and, if so, how long?—Answer. For about a year and a half.

Q. As fireman?—A. Yes, sir.

Q. When did you go out of their employment?—A. Well, the last work I did was on the 5th of March; that is, till a few days ago.

Q. You struck with the rest?—A. No, sir; I did not strike with the rest; I did not have any occasion to.

Q. When did you go out of the employment of the company?—A. The last work I did, until the 30th of last month, was the 5th of March.

Q. Were you fireman down to that time?—A. Yes, sir.

Q. State why you happened to leave the employment of the company?—A. I was not able to go out on my engine.

Q. Was it on account of the strike?—A. I do not know whether it was or not.

Q. You did not strike, and there was no work that you could do after the 5th of March on your line?—A. I was not called to go out, and consequently I did not go out.

Q. Did not you lose your work on account of the stoppage of the engines?—A. I certainly did.

Q. Were you a Knight of Labor then?—A. At the time of the strike? Yes, sir.

Q. Are you now?—A. No, sir.

Q. When did you cease being a Knight of Labor?—A. Well, I do not know exactly the date, but it was a couple of weeks or so after the strike that I withdrew from the order.

Q. Have you applied at any time since the 6th of March to be employed as fireman?—A. I think it was about the 28th or 29th of last month I went over to Mr. Clark's office and asked him why I could not go to work. We had a little conversation, and he said he would put me to work; and he did so.

Q. How long did you remain at work?—A. I suppose I am at work. I have done some work, and have done all the work I have been called to do.

Q. Do you know of the master mechanic's saying anything about not wanting Knights of Labor?—A. Well, I believe he asked me if I was a Knight of Labor. I told him I was not.

Q. Was that all that was said about it?—A. I believe that was the sum and substance of it.

Q. Did not Mr. Clark tell you that he did not want any firemen that belonged to the Knights of Labor?—A. Well, now, I do not know that I remember right. I thought he did, but I will not say positively.

Q. What was your native place?—A. I was born in Connecticut and was raised in Illinois.

Q. How long have you been employed on this road?—A. For about a year and a half.

ROBERT ROSSBOTTOM sworn and examined.

By Mr. BUCHANAN:

Question. Did you work for the Missouri Pacific Railroad at the time of the late strike?—Answer. Yes, sir.

Q. When did you commence to work for them?—A. On the 26th day of June, last year.

Q. In what capacity did you work for the company?—A. I am a boiler-maker.

Q. Have you any grievances against the company arising prior to March, 1886.—A. Yes, sir; the boiler-makers had a grievance against the company. It was with respect to traveling, in being sent out on repair work. Boiler-makers had been sent out at different times and complained about the time they received for it.

Q. Tell me your own grievance?—A. I was sent out three different times I believe. The last time I was sent out or the second time I was sent out there was a complaint, as I understand, to the district master workman. He went to Mr. Herrin to adjust the difficulty and returned to Denison. Upon coming around one day where I was at work he told us that he had been to see Mr. Herrin and that he had adjusted that trouble; that Mr. Herrin was willing to allow time and a half after working hours.

Q. Who was it that told you that?—A. N. M. Lovin.

Q. You understood that you were to be paid for your own time?—A. Yes, sir. I was sent out about the 2d of March last, I believe, and when I returned I went to make up a report of my time, and I asked Mr. Gosling if there had been any change made with respect to the time that a man got for traveling. He said, "Not that I know of." I said, "The reason I asked about it is that the district master workman had said he had seen Mr. Herrin, and he had settled the difficulty by allowing time and a half." He said I would have to go into the office and see about. I went into the office, and Mr. Clark was not there. I saw the chief clerk. He asked me when I started out, and I told him, and when I arrived at my destination; and he said they would only allow me half-time for all time traveled. I said they would certainly not ask a man to travel in the daytime for half-time. Mr. Clark came to me and stopped me as I was going through the shop, and said he had been informed of my being in the office and that the chief clerk had made a mistake. He said he allowed half-time for traveling after working hours, single time through working hours. In my traveling I had always put in time enough to make up my expenses. I put three hours in for that.

Q. Was any objection made to that?—A. No, sir.

Q. How many hours have you traveled outside of working time since you have been in the employment of the company?—A. I think it was about thirty-six hours.

Q. Your understanding of the agreement made with the striking parties of March, 1885, is that they should have one and a half time for overtime, and that traveling in your own case is overtime?—A. That is what I was informed.

Q. That is your claim?—A. Yes, sir.

Q. Have you any other grievance against the company?—A. Not at all.

Q. Did you strike because of that grievance?—A. I did not strike on account of that grievance.

Q. Where were you born?—A. I was born in England.

The CHAIRMAN. On the 2d of March, 1886, did you not go from Denison to Dallas on engine 28?—A. Yes, sir.

Q. That is the last trip that you spoke of to Mr. Buchanan?—A. Yes, sir.

Q. When you got back, did you ask how much you would be allowed?—A. I did for the traveling time.

Q. Were you informed that you would get the same as the company had been accustomed to pay for the past two years?—A. Mr. Clark told me that he would allow me half time to and from work.

Q. And time and a half between 6 p. m. and 7 a. m.?—A. Yes, sir.

Q. And extra time enough to cover the extra cost of meals?—A. Yes, sir.

Q. You were not satisfied with that, were you?—A. No, sir; that was what I asked. That was what I have received everywhere I have worked previous to that time.

Q. You left Denison at 3 o'clock on the 2d of March and returned at 12 o'clock noon on the 4th of March?—A. Yes, sir.

Q. Gone forty-five hours?—A. No, sir; I did not say that.

Q. If you left Denison at 3 o'clock on March 2 and returned at 12 o'clock noon on March 4, how long were you gone? Is not that forty-five hours that you were gone, or two days less three hours; is not that correct?—A. No, sir, that is not correct.

Q. You left Denison at 3 o'clock on the 2d, did you not?—A. Yes, sir.

Q. And you returned— A. (Interrupting.) I returned next day.

Q. You left at 3 o'clock on the 2d; what time did you get back on the 3d?—A. I got back—I cannot say exactly—but between a quarter and a half after 12. I cannot say exactly the time I gave in now.

Q. How long were you at work on engine 28?—A. I got there at 10 o'clock at night, and went and cooled the engine down and worked all night. I returned the next morning.

Q. How many hours were you allowed?—A. Well, I just cannot say, because I have not got my time-book with me.

Q. This statement says you were allowed thirty-four hours, and you said you were satisfied?—A. The statement said I was allowed thirty-fours? Well, I cannot tell exactly how much time I was allowed on that job; but that was the understanding between me and Mr. Clark.

Q. Did you report the day you got back?—A. I reported it the day I got back.

Q. You finally made a satisfactory settlement with the company?—A. Yes, sir; I told Mr. Clark if that was all the company would pay, I would not make any trouble over it.

ADAM FRIEGENSTEIN sworn and examined.

By Mr. OUTHWAITE:

Question. How long have you been working for the Missouri Pacific?—Answer. About two years and a half.

Q. Did you get injured some time while you were at work for the company?—A. Yes, sir; last August.

Q. What was the injury?—A. I had a piece of lead fall on my foot and badly mash it.

Q. How long were you off work?—A. About three weeks.

Q. Did you get pay for the time you were off?—A. No, sir.

Q. How did that lead happen to drop?—A. It flew out from under the hammer. It was nobody's fault and nobody was to blame for it.

Q. Then, when you went back to work you signed a release?—A. I did, right after I got hurt.

Q. When did you do it?—A. I think the injury was not enough; but I wanted to get to the hospital and I did not know at the time that I could not get a pass without signing a release.

Q. Did you go to hospital?—A. They sent me to Marshall.

Q. Did they take care of you in the hospital the time you were injured?—A. I was there one week only.

Q. Then they did not pay you the one dollar mentioned in there?—A. No, sir.

Q. Is there anything else you know?—A. Nothing particular.

Q. When did this happen?—A. Last August.

Q. You did not think this was of sufficient importance to bring it to the attention of the Knights of Labor?—A. No, sir; I have never brought it up.

Q. It had nothing to do with the strike, then?—A. Not particular any way.

MICHAEL MURRAY recalled and examined.

By the CHAIRMAN:

Question. You may consider yourself still under oath. Here is a subpoena that was served upon you, Mr. Murray, it reads:

"You are hereby commanded to summon Michael Murray to be and appear instantan before the subcommittee of select committee appointed under resolution of House of Representatives, United States of America, dated April 12, 1886, to investigate the causes of the labor troubles on the lines of the Missouri Pacific Railway Company in the States of Kansas, Arkansas, Missonri, Illinois, and Texas, of which Hon. W. H. Crain is chairman, and to bring with them before said subcommittee now in session at Odd Fellows' Hall, in the city of Denison, Tex., the proposition or resolution upon which the local assembly voted when pledging itself to support the strike contemplated by District Assembly No. 101, Knights of Labor, and which occurred in March, 1886, and also the original, or a copy of the order which was issued inaugurating the strike, and then and there to testify touching matters of inquiry committed to said committee; and he is not to depart without leave of said committee." Have you done that?

The WITNESS. I have done all in my power to secure those papers, but I have not been able to succeed in securing them up to the present time, owing to my not being charged with the care of such papers, as I have not got them myself personally; but I wish the committee to understand that I do not desire to conceal anything; and further I wish to show up everything that is necessary and that will throw light upon the subject being investigated in this case.

Q. Where does George Lyman, the secretary, live?—A. In the city of Denison.

Q. Did you go to him to get these papers?—A. I sent to him four different messengers.

Q. Is he at home now?—A. He is not at home this evening. I have not seen him here to-day. He has got a small ranch below here, and I think is on it.

Q. Is it not very remarkable that the secretary of the assembly, when he knew that a committee of Congress was coming here to investigate grievances of which the order complains, should absent himself from the city?—A. If he knew or thought these papers would be wanted he would give them up. If I can find him I will do it, and if the committee does not leave before I can secure them I will present them to it.

Q. What efforts have you made to secure them?—A. I have sent messengers to those who should receive them, and examined all the papers that are in the office, and have not found any there. I think, perhaps, the secretary has them with him. Sometimes he carries them with him, and other members of the board here may have taken them also. I will just say to the committee that in case I can not get them before the committee leave Denison, provided I can get them, I will forward them to any address that you will leave me, or go to Marshall, or send them there.

Q. Where does this secretary live?—A. I do not know exactly where his residence is.

Q. You say that you can not find these papers; I will ask you this question: What was the proposition or resolution on which the local assembly voted when it pledged itself to support District Assembly 101?—A. There were only three propositions that I remember of while I was present at any meeting or since, I believe, to the order in Denison. The first proposition was: "Will you sustain your district executive board if they demand a recognition of the order?" The next one was: "Will you sustain the executive board in demanding for unskilled labor \$1.50 per day that are receiving \$1.15 a day now?" The next was: "Will you sustain the executive board if they demand the reinstatement of Mr. Hall?" These three propositions were all that were received.

Q. Were they all voted upon at the same meeting?—A. They were not. There were about two weeks' space between the proposition that was voted for \$1.50 for unskilled labor; and Mr. Hall's proposition was the last one, I believe.

Q. Did you vote affirmatively on the first proposition?—A. The vote as to whether we would sustain our executive board is taken by secret ballot, and the ballots sealed in an envelope and sent to the executive board.

Q. In case the majority of the local assemblies did vote in the affirmative, would the strike have been ordered on the first proposition?—A. Yes; if the district assembly saw fit to order a strike.

Q. Did they so vote and order a strike?—A. Not on the first proposition.

Q. Did they on the second proposition?—A. Well, you understand the second proposition was the \$1.50 for unskilled labor.

Q. Did the executive board declare a strike on that?—A. No, sir.

Q. The third proposition was to sustain the executive board for the reinstatement of Mr. Hall?—A. In case Mr. Hall is not reinstated; that is the last proposition.

Q. Did the executive board order the strike upon that?—A. No, sir; it did not.

Q. Then how was the strike ordered?—A. It was from all these propositions. I understand that there was a strike ordered on the Texas and Pacific road and we received

notice to boycott the Texas and Pacific, and then on the 5th of March we received a telegram to strike on the 6th at 10 o'clock.

Q. Upon what proposition was that strike ordered?—A. It did not state in the telegram; but we supposed that from that proposition that the vote of the order to sustain the executive board in the demands that they would make was on the three propositions, and that that would go in the strike.

Q. Had you any written communications on the subject?—A. I never received any writing or knew of any outside of those communications which were read, that I have spoken of, in making the demands.

Q. Then you do not know upon which proposition the strike was ordered?—A. I do not know.

Q. You know that they did not order it on the first?—A. They did not at the time we took the ballot.

Q. They did not on the second?—A. They did not on the second.

Q. Then must they not have ordered it on the third?—A. We thought that the proposition for unskilled labor was the main grievance, and that they had agreed upon taking all three propositions and they would make a demand on all. We did not receive any communications just exactly as to what demands were made by the board.

Q. There was nothing ordering the strike except the telegram?—A. That was all.

Q. Did that come to the master workman of the assembly?—A. It came to the master workman of the assembly.

Q. Who is he?—A. Under my obligation I am not allowed to state that, but I do not suppose there is any objection. His name is Mr. Pfifer.

Q. Where is he?—A. I do not know. I saw him on the street to-day.

Q. (By Mr. PARKER.) Did you state your birthplace here?—A. No, sir.

Q. Please state it.—A. I was born in the State of New York and was raised in Illinois.

Q. (By the CHAIRMAN.) When was it that the Hall proposition was voted on?—A. I cannot remember the day.

Q. How long before the strike was ordered?—A. I suppose it must have been some six or eight days, maybe two weeks, before the strike.

Q. How long after he was discharged?—A. I do not remember the time when Mr. Hall was discharged.

Q. (By Mr. BUCHANAN.) Did you see the telegram ordering the strike?—A. Yes, sir.

Q. How did it read?—A. It just stated, "Strike on March 6, at 10 a. m."

Q. To whom was it sent?—A. To the master workman.

Q. By whom sent?—A. Martin Irons, chairman of the district executive board.

The following telegram, received at Fort Worth May 6, was ordered to be inserted in record with witness' testimony:

[Telegram.]

DENISON, May 6, 1886.

Hon. W. H. CRAIN,
Chairman Congressional Committee:

Papers have been destroyed. Will bring minutes of meeting and officer who destroyed paper to Fort Worth, if desired. Answer.

W. J. MURRAY.

JAMES MALONEY sworn and examined.

By the CHAIRMAN:

Question. Do you know the witness, Mr. Murray, who has just testified in this case?—

Answer. I have seen him. I never had an introduction to him.

Q. Did you see him in the masked raid on the shop on the night of March 20 or 21?—A. He passed through the yard about 9 o'clock, I think.

Q. The yard of the Missouri Pacific Railroad at Denison here?—A. Yes, sir.

Q. What was he doing?—A. Walking along. He stopped and talked with me about a minute.

Q. What about?—A. Something, I cannot remember now.

Q. Did he remain there any length of time?—A. He did not remain there above two minutes.

Q. Was he there with the crowd?—A. I did not recognize him.

Q. Just passed through?—A. He just passed along by my place of work there, and spoke to me; that was about all.

Q. Are the people in the habit of going through that way?—A. Yes, sir; people pass through there.

Q. Was there anything specially suspicious in his movements?—A. Nothing but passing, just like a person ordinarily does.

Q. (By Mr. OUTHWAITE.) Does he live in the neighborhood?—A. No, sir; he does not.

Q. How long before the masked men came in there was he there?—A. About three hours. He was there about 9 o'clock, and that happened about 2 o'clock—probably four or five hours afterwards.

GEORGE W. FIEDLER recalled and examined.

By the CHAIRMAN:

Question. Do you know Mr. Murray?—Answer. Yes, sir.

Q. Did you see him about the yard of the Missouri Pacific after the strike?—A. Yes, sir.

Q. Under what circumstances?—A. On the morning of the 8th at 7.30 we tried to get an engine out. Joe Gettler was down there at the time with a guard, and it seems his guard was not sufficient to prevent us from getting fire into an engine. They blew the shop whistle, and the strikers came down at that time, and among them Mr. Murray. Mr. Murray put his foot on the engine step and ordered me out of the engine, in the name of the Knights of Labor. I refused to get off, and he asked me a second time to step off. I refused to do so. He asked me by what authority I was on the engine. I told him by the authority of Mr. Clark, the master mechanic, and also by the authority of the railroad company in whose employ I was at the time.

Q. Did you see him at any other time during the strike around the yard?—A. I believe I saw him pass through there once or twice.

Q. Did you see him interfering with the men?—A. No, sir; not after that.

Q. Was this before or after the injunction papers were served on Mr. Murray?—A. It was before the injunction papers were served.

Q. Did you see him interfere there after the injunction papers were served?—A. No, sir. I believe he came there and went into Mr. Clark's office.

Q. (By Mr. BUCHANAN.) Was it before he had struck and left the employ of the company?—A. When I saw him there and he ordered me off the engine?

Mr. BUCHANAN. Yes, sir.

The WITNESS. It was on the 8th of March, two days after the strike had occurred.

CHARLES BAYLESS sworn and examined.

By the CHAIRMAN:

Question. Were you a Knight of Labor on the 6th of March last?—Answer. Yes, sir.

Q. Are you now?—A. I suppose I am; but I think I stand suspended.

Q. You have not withdrawn from the order?—A. No, sir.

Q. Are you in the employment of the company?—A. Yes, sir.

Q. Who employed you?—A. Mr. C. W. Clark.

Q. How long is it since he gave you employment?—A. He gave me employment on the 31st day of April.

Q. How did he come to give you employment?—A. I went there to get my job.

Q. Why did you go?—A. I wanted to go to work.

Q. You had become tired of the strike?—A. Yes, sir.

Q. Did Mr. Clark ask you whether you were a Knight of Labor?—A. No, sir.

Q. Did he exact from you as a condition precedent to re-employing you that you should present him with a withdrawal card from the Knights of Labor?—A. No, sir.

Q. Or that you should withdraw from that organization?—A. No, sir.

Q. Did you go to work on Mr. Powderly's order?—A. I went to work on Mr. Clark's order.

Q. Mr. Powderly, you know, issued an order or instruction to Martin Irons to order the men to return to work; did you seek employment under that order, or was that the reason you went to Mr. Clark?—A. I think it must have been that. Now, the order was issued by Mr. Powderly three or four days before I went down there, and the executive board told us to go down and get our jobs. I was told that by a party that went down to the shop.

Q. Was it on account of Mr. Powderly's order that you went down and sought employment?—A. Yes, sir.

Q. Did Mr. Clark give you employment willingly?—A. Yes, sir.

Q. Not demanding, as I said before, as a condition precedent to the employment that you should withdraw from the Knights of Labor?—A. No, sir.

C. W. CLARK recalled and examined.

By Mr. BUCHANAN:

Question. It has been said by a number of witnesses when they applied to you for work you objected to receiving them because they were Knights of Labor. What have you to say as to those statements?—Answer. I told them that when they got done working for the Knights, and could go to work for me and by my orders, I would give them employment. That if they had not got enough of the strike now, they could continue until they got enough.

Q. It has been stated by one or two witnesses that you also said that these were your orders from Mr. Hoxie. Did you so state?—A. I do not know.

Q. It has also been said by one or two witnesses that you made it a condition that you would not employ them without you had received their withdrawal cards?—A. There are some of the men who have been very prominent throughout the strike and had been very active members of the Knights of Labor. I said to them, "Can you give me any official assurance that you will continue at work? If you can, put it down in black and white."

Q. Did you say anything about withdrawal cards?—A. Yes, sir. They said they could not get them, and I said I had got them.

Q. Had you withdrawal cards?—A. Yes, sir. A man that has been on the stand to-night showed me a withdrawal card, and two or three men from Alvarado gave them to me. The man who was on the stand was Mr. Secord; he gave me such an one. A man by the name of Ed. Morgan, a fireman, gave me one. It contained a statement that he was no longer a member of that organization.

Q. (By the CHAIRMAN.) What was on it?—A. It was a piece of white paper with the stamp of the order on it. The seal of the assembly, signed by, I think, the master workman; but I will not be certain. It reads that the man is no longer a member of the organization.

Q. (By Mr. BUCHANAN.) Can you produce one of these?—A. I have not got one with me. It was an official assurance that they were done.

Q. And you say it had the seal of the assembly on it?—A. Yes, sir. The man that testified, Mr. Secord, can testify as to that.

The Chairman here asked the sergeant-at-arms to call Master Workman Pfifer and Secretary Lyman, and they did not respond.

CHARLES H. LITCHMAN sworn and examined.

By the CHAIRMAN:

The WITNESS. I simply desire to state that there is no such thing as a withdrawal card in the order.

Question. What position do you occupy in the order?—Answer. I was first general secretary of the order, and I have been a member of every general assembly that has been held.

Q. How long have you been in the order?—A. Nine years; I was a member of the first assembly in Massachusetts.

Q. By virtue of what authority do you now represent the Knights of Labor in this investigation?—A. By special appointment of the general master workman, Mr. Powderly.

Q. Are you thoroughly conversant with the constitution and by-laws regulating the order of Knights of Labor?—A. I speak qualifiedly. I claim to know the constitution and by-laws and general usage of the order thoroughly.

Q. And you say there is no such thing as a withdrawal card, as described by witnesses here to-night, known to the order?—A. Yes, sir.

Q. Then this local assembly has either been in ignorance of the constitution and by-laws and rules of the order, or has been willfully establishing a rule of its own, exceeding the general jurisdiction, if it has these withdrawal cards?—A. Yes, sir. In the early history of the order, by the general assembly, which was formed in June, 1878, withdrawal cards were provided for. There are none at present, the only cards being traveling cards and transfer cards. The use of a traveling card is to identify the membership in traveling through the country, the member holding the traveling card retaining his membership in his own assembly. The transfer card is used where a member permanently leaves the location of his own assembly and locates in another place, and desires to transfer his membership from the assembly where he was initiated to the assembly of his new location.

Q. When was this provision for withdrawal cards abolished?—A. To the best of my recollection, at least two years ago. Not less than two years ago; I think three years, but I will not state that positively.

Q. Is it possible that this local assembly might have been acting in ignorance of the fact that this provision for the withdrawal card has been abolished?—A. I do not see how they could. Each local assembly is supplied with the new regulations immediately on the adjournment of the general assembly.

Q. If the master workman and secretary of this local assembly were present would they not be able to tell us whether they issued withdrawal cards or not?—A. They have no right to do so under the rules of the order.

Q. If the master workman and secretary were present would they not be able to tell us whether they issued withdrawal cards?—A. As has been testified, most assuredly.

Q. Have you any information why they are absent?—A. Not the slightest.

Q. Does it not surprise you, while an investigation of this character is proceeding, that they are absent?—A. I have no opinion to express.

Q. I am simply asking you if it does not surprise you that they are absent?—A. If I were master workman or secretary I would be here; that is, if I had any knowledge the committee desired my presence.

Q. If you were desired or not, the fact being that the status of your assembly was being investigated, do you not think you would come?—A. Very likely.

Q. (By Mr. OUTHWAITE.) Is there any form specified for a traveling card and transfer card that you speak of?—A. All traveling and transfer cards are issued by the general secretary. They are the same in every local assembly of the order, and each local assembly purchases these as supplies from the general secretary and treasurer. From the sale of them is derived a portion of the income of the general assembly.

Q. Suppose a man wishes to withdraw from the order, how could he do it?—A. He pays up his dues and signifies the fact to the local assembly to which he belongs, or he could take a transfer card and allow it to expire. Transfer cards must be renewed every six months, or they become void. Traveling cards are good to the end of the date for which the dues have been paid in advance.

FRANCIS H. SECORD recalled and examined.

By Mr. BUCHANAN:

Question. Did you hand to Mr. Clark a withdrawal card from your assembly?—Answer. I did.

Q. Signed by whom?—A. Signed by the secretary.

Q. Of your assembly?—A. Yes, sir.

Q. Under the seal of the assembly?—A. Yes, sir. I would like to give that to this committee just exactly as it is. I went to that gentleman and asked him for a withdrawal card. I went to his house. He took his book and looked it through and said, "I do not see any provisions for giving a withdrawal card, but," he says, "it seems to me that there should be some provisions made," or something to that effect. I told him I wished to withdraw, and that I would like something to show for it, and I wanted to pay up my dues and leave the order in good faith and in good standing. He said, "that is all right;" and he also said, "I do not see any other way only to write you a withdrawal card," and also, "I assume this responsibility on my own account; I do not know whether it is right or not."

The committee then adjourned to meet, on call of the chairman, at Fort Worth.

FORT WORTH, TEX., *Thursday, May 6, 1886.*

The subcommittee of which Hon. W. H. Crain is chairman, convened at this place to-day for the purpose of taking testimony, and the following witnesses' statements were taken:

JOHN C. BRANNON sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I reside at Alvarado.

Q. What position do you occupy, if any, in that city?—A. Well, sir, I have been mayor.

Q. Were you mayor when the strike took place on the Southwestern system?—A. Yes, sir; I was.

Q. What county is Alvarado in?—A. It is in Johnson County.

Q. How far is it from Fort Worth?—A. About 27 or 30 miles.

Q. On the line of what road?—A. On the Missouri Pacific. I do not know what division.

Q. State what you know about the strike at Alvarado.—A. Well, sir, I was called upon about the 29th of March to place guards around on the railroad property there to protect it, and I did so.

Q. Who called upon you?—A. The railroad authorities.

Q. Did you see anything done there by the strikers? If so, what did you see?—A. Well, sir, I was standing near the railroad track at the depot, I think it was on the morning of the 30th, when a freight train from the North came in, and it was taken charge of by the men, whom I thought to be strikers, and carried off.

Q. To what place was it carried?—A. Well, I learned it was carried to Grand View.

Q. Did you see the strikers do anything with the passenger trains?—A. I did not, sir. I saw the passenger engine that had been damaged, but I did not know who had done it.

Q. Did you see the strikers do anything with the passenger engine?—A. I did not, sir.

Q. Did you see the strikers take a passenger engine and follow a freight train?—A. I did see some men take an engine and follow a freight train. It was at the side track.

Q. What did they do with it?—A. They followed after the freight train that had left there for the North.

Q. Did they capture it?—A. I don't think they did.

Q. What did they do with the engine?—A. Stopped it about a mile north of here.

Q. How many strikers were there in your town?—A. I am hardly able to tell.

Q. Was any violence used there?—A. Well, not to my knowledge. There was mischief done about the shop and in the roundhouse at night, but I was not there.

Q. How large a place is Alvarado?—A. It has about 2,000 inhabitants.

Q. What was the effect upon the business there?—A. Well, sir, it was very demoralizing.

Q. Is there anything more that you know about it?—A. I do not know of anything.

LEONIDAS D. ANDERSON sworn and examined.

By Mr. OUTHWAITE:

Question. How old are you?—Answer. Thirty-one years.

Q. Where do you live?—A. At Alvarado, Tex.

Q. Are you a member of the order of Knights of Labor?—A. No, sir.

Q. What were you employed at about the 1st of March?—A. I was agent for the Missouri Pacific Railroad Company.

Q. When was your first official information of the beginning of the strike on the Missouri Pacific Railroad?—A. On the evening of the 1st of March, about 8 o'clock, I was shown an order from the Knights of Labor—it was shown to one of their members—to quit work at 6 o'clock that evening.

Q. Can you remember the language of that order?—A. No, sir; I cannot.

Q. Do you recollect whether it gave the cause for which this strike was ordered?—A. I do not think it did. It just read, "At 6 o'clock p. m. on the evening of the 1st quit work."

Q. On March 2 were you, as an employé of the road, connected with an attempt to move a freight train?—A. Yes, sir.

Q. Tell us what occurred at that time?—A. About 7 o'clock in the morning I went to the office, and there was an order to start a freight train south. The yard master told me that the engines were all dead. I went over to the roundhouse; but before I went there I saw one of the members of the Knights of Labor pass. I asked him the cause of the strike, and if they were not going to let us move any trains, and he said "No." I went over to the roundhouse and found the foreman of the roundhouse had not got down yet. I went back and reported all the engines dead except one, and we soon got another order to start the train south. I went to the roundhouse, to the one engine left, and went out to get her, but some seven or eight parties came out and went to work and killed her.

Q. On the 9th of March did the traveling engineer come to Alvarado?—A. Yes, sir.

Q. What effort was made at that time to start a train, and what was the result?—A. We got an order to start a train, and the engineer and myself went to the roundhouse. I went to close up the ticket-case, and by the time I got over here some four or five or more men came over, and one of the men told Mr. Buck he would have to leave there. He was there a few days before, and the man said, "You just left a few days before to save trouble and you had better leave now."

Q. Who were these men?—A. Well, I cannot give you all the names, but I could give you a few of them.

Q. Were they former employés of the road?—A. Part of them were.

Q. Were they members of any organization of labor?—A. They were said to be Knights of Labor.

Q. What cause was assigned by these Knights of Labor at the time for the strike?—A. All the employes that I talked with claimed that they had no grievances themselves, but others had. They never assigned any reason or stated any grievance to me.

Q. On March 28 did you make an attempt to move a train?—A. On March 28 we got our engines, fired up a portion of them, and ran a train in to see what the effect would be, and after the train came in they got the engine off and took her to Grand View and killed her.

Q. Did you call on the authorities for assistance?—A. We called on the authorities for protection.

Q. What success had you in starting trains after getting protection?—A. We made no attempt that day. Next day we succeeded in moving our trains, the city authorities and county authorities protecting us.

Q. Was there any trouble at the roundhouse at Alvarado?—A. Well, about the 3d or 4th, or about that time, several shots were fired that were stated to be by a musket, on account of the bullet-holes that were in the roundhouse.

Q. You do not know who fired those shots?—A. No, sir.

Q. Do you know anything about a train that was ditched near Alvarado?—A. I know there was a train ditched.

Q. What else do you know about it?—A. I do not know anything about it further than that it was ditched.

Q. How much damage was done?—A. Well, I would estimate the damage at two or three thousand dollars.

Q. What was the nature of the damage done?—A. The engine was thrown from the track, four box cars had gone down the embankment, the engineer's arm was broken, the fireman's leg was broken and damaged, and a brakeman's face hurt.

Q. (By Mr. BUCHANAN.) You said these men were said to be Knights of Labor. Had you any knowledge as to that?—A. I had; several of them told me they were.

Q. (By Mr. OUTHWAYTE.) Were any pistol-shots fired, before the strike, at the roundhouse?—A. I do not remember that there were.

Q. Did you ever hear of any?—A. Not that I remember.

Q. What was the date at which they went out down there?—A. On the 1st of March at 6 o'clock, or the night of the 2d.

GEORGE W. COTTER sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. At Alvarado, Tex.

Q. What is your business?—A. I am a merchant, sir.

Q. How long have you resided at Alvarado?—A. About fifteen years, sir.

Q. Were you there during the time of this strike?—A. I was at home, sir.

Q. Did you witness the trouble there?—A. I cannot say that I did. The Missouri Pacific depot is situated about half a mile from the square, and I staid at home, sir.

Q. You saw the effects of the strike?—A. Yes, I saw the effects.

Q. You may describe the business effects of the strike upon that town.—A. Well, sir, it created general uneasiness in the minds of the people and a general cessation of business as far as people could stop their business. It, of course, interfered with the transportation of freight. It hurt everybody's interest, but just to what extent I cannot tell.

Q. Do you know how long it continued there?—A. Well, sir, about thirty days, I think, the active part of it.

Q. Was the only effect of it in general, so far as you know, the injury to business and to the people?—A. Yes, sir; I do not know that it had any other effect upon people of our vicinity.

Q. If you can readily, you may give instances of the injurious effects there or in what way it affected the business in the surrounding country.—A. The way in which it did it was by the fact that it unsettled the state of affairs. People did not know what was going to follow, and they let their matters go at loose ends. Then, in the transportation of freight, our business was hurt in that way. For instance, in shipping every kind of merchandise we were hurt; but I think the general trouble was because there was such an unsettled condition of things, and people's minds were dwelling upon that and not upon their business.

Q. Are you supplied there by any other railroad than that upon which the strike was?—A. The Gulf, Colorado and Santa Fé passes through our place.

Q. Is there any further fact that you wish to speak of?—A. I do not know of anything.

Q. How did your business there in March, 1885, compare with that in March, 1886?—A. I cannot tell you. My own business was smaller, about one-third, I think.

Q. Do you know of any uneasiness or complaint among the men there as to grievances?—A. I never heard that there were any.

LORENZO D. MERCER sworn and examined.

* By Mr. BUCHANAN:

Question. Where do you live?—Answer. At Alvarado.

Q. How long have you lived there?—A. Twenty years.

Q. What is your business?—A. I am a real estate agent.

Q. Were you at your place of business or residence about the 2d of March last?—A. I was, sir.

Q. How near is that to the roundhouse?—A. I suppose I am a hundred yards from the roundhouse.

Q. What did you see there that day?—A. Well, sir, I saw the work all stopped by order of parties claiming to be Knights of Labor. The men all went out and stopped work. On the morning of the 2d they did not go to work. I did not know what had been done. I saw in the shop and in the yards that the fires of the engines had been drawn and that they were out.

Q. Who had possession of the roundhouse?—A. The Knights of Labor had possession of it, so far as I understand it. They claimed to be allowing no freight trains to run.

Q. The strikers had possession, and you saw engines disabled?—A. I saw several had been disabled.

Q. What, if any, declaration did you hear made by the strikers as to their allowing no work to be done?—A. Well, they stopped work. I went to W. E. Brunder, who is said to be their master workman—I am not a Knight of Labor—and asked him what the strike was for.

Q. I asked you what were their declarations as to trains being moved?—A. He said that there was to be no more work done.

Q. Did they make any exception as to passenger trains?—A. They said they should be allowed to run.

Q. How were the engines disabled?—A. The valves were taken out.

Q. Did you see an engine captured about the 30th of March?—A. I saw it as it moved out of the yard north. I saw it when it moved north. I cannot say who was the engineer, or who was ahead of it, but it seemed to be following a freight train that had just gone north. The freight had been followed by the engine to bring back the guards to protect it. When they met it above the road-crossing Mr. Mellen and a few from the yard reversed and came quickly down towards the yard. Just then they abandoned the engine and ran to the woods, and I saw other parties get in.

Q. Did you recognize them?—A. I did not recognize them.

Q. Now give us your conversation with Mr. Brunder.—A. I went to him and asked him what was the strike for, what their grievances were, and he said they had none of their own; they had been ordered out.

Q. Did he say how they were ordered?—A. He said their order was from the executive board of the Knights of Labor.

Q. Did you talk with other strikers?—A. I talked with him further. I told him that there was certainly some mistake. If there were no grievances, he, as master workman, had better order the men back to work again; and he said by next morning at 8 o'clock he would know and understand about it. Mr. Ray also made the same statement, that they had no grievances, and Mr. Clark, the master mechanic, said if they had he could settle it. After a while something was said about this man Hall at Marshall, of his discharge being the cause of it; and others said that it had nothing to do with it.

Q. Were you absent from Alvarado at any time during the strike?—A. I left here on the 5th of March and went to Denison, and came back on the 14th.

Q. Had you any difficulty yourself with any of these strikers?—A. Some threats were used to me; that was all.

Q. Please state what they were?—A. A few strikers, friends of mine, came to me and told me that they were angry with me for the course I had taken in the premises, and if I was not careful I would be killed, and that it was threatened that I would get my head shot off.

Q. What course had you taken?—A. I wanted trains to run.

Q. You had been outspoken in your utterances that the road should be unobstructed?—A. And that it should be operated.

Q. Had you done anything or said anything beyond that?—A. Nothing at all.

Q. Were any threats made to you personally?—A. None to me personally.

JOHN THREADGILL sworn and examined.

By Mr. OUTHWAITE:

Question. How old are you?—Answer. Thirty-seven.

Q. Where do you live?—A. At Taylor, Tex.

Q. What official position do you occupy?—A. I am mayor of the city.

Q. And were you mayor during this strike on the Missouri Pacific?—A. Yes, sir; I have been mayor since April, 1885.

Q. What effect had this strike upon the business of Taylor?—A. For about four weeks it paralyzed the business and created confusion.

Q. How large a place is Taylor?—A. It is a place of about 2,000 inhabitants.

Q. Where do the merchants purchase their supplies?—A. At New York and Saint Louis.

Q. Were any of the goods expected at Taylor detained by the strike?—A. Yes, sir. All our merchants had gone East and returned about the time the strike was inaugurated, and we were isolated from the 1st of March to the 1st of April. Goods had to be taken via steamer and Galveston and shipped by express.

Q. Were you pretty generally acquainted with the men who had been in the employ of the road?—A. Yes, to a certain extent.

Q. You may state whether you saw any acts of violence by the employés or Knights of Labor, or any destruction of property belonging to the company.—A. I saw them prevent the running of trains.

Q. How?—A. By an armed force.

Q. Were any of them arrested and prosecuted?—A. Yes, sir.

Q. How many?—A. Three.

Q. What was the result of the prosecution?—A. On the first case we had a jury, and there was an acquittal. On the second case there was a conviction, and a fine assessed of \$7.65 for malicious mischief, by the jury. On the third case the city attorney made a motion to dismiss, with the understanding that no further attempt should be made to destroy the property of the company.

Q. What have you to say about engines being killed, as it is termed?—A. I only have that from hearsay. I was told by the foreman and master mechanic that they had killed two or three engines.

Q. Were you called upon to protect the property of the company?—A. On the 15th of March last, about 7 o'clock, the master mechanic at Taylor sent to my house for me to come down to the yard of the Missouri Pacific Railroad in Taylor. I went down and asked him what was the matter. He informed me that that morning about 5 o'clock he had attempted to get out a train and that his men had been overpowered and the engine killed. He wanted to get out an information, and wanted assistance. I asked him what assistance he needed. He said he had orders to send a freight train south. I asked him if he had an engine and crew that could pull his train. He said he had. I returned to the house and notified the city marshal and summoned a posse of about six men. I took the city marshal and the posse and went to the roundhouse and informed the master mechanic that I was ready at any time to move the train and give assistance. He told me that his engine was in the roundhouse and ready to move. I went with the city marshal and placed them on the engine and told them to obey the orders of the engineer and let no person, unless with the permission of the engineer, get on the engine. They backed out into the yard. I took the other men of the guard off the engine, fastened all the cars, and came up the track going south. A body of men, numbering somewhere between fifty and a hundred, employés of the company, and I suppose Knights of Labor, stood on the track in front of the engine. I ordered them to disperse, and told them what would be the result if they did not. They evaded me. They attempted to dally with the train, but we kept them off. They would have stopped the train if it had not been for force of arms. My force staid with the train until it got out of the city limits. They pulled up and left us off. And as I was returning to the city down the track I was informed by the Knights of Labor that another train could not go out of there. I told them if the company wished us to guard one out we would attempt to get it out. While going down I saw the master mechanic, and was met by a number of the employés, Knights of Labor, and requested by them not to interfere with them, and informed that they did not intend any freight train should go out of there. I told them if the company called on me I would give them my assistance.

Q. Were there any acts of violence committed after that?—A. Some men were assaulted, but no lives were lost. One man was injured, but not seriously.

Q. Have you any further facts tending to show the extent of the strike in your place?—A. Nothing more than it demoralized business and created a general uneasiness. We had a great deal of stock in the country at that time that could not be moved.

Q. Where do you ship your stock?—A. To Chicago and Saint Louis.

Q. Was not all that prevented moving?—A. Yes, sir; a great deal. We are not over it yet. Our country feeds a great deal of beef through the winter, and they were ready to go on the market, but could not go. We had to ship some of them to New Orleans. Our market for corn-fed beef is Saint Louis and Chicago.

Q. (By Mr. BUCHANAN.) I observe you speak of the strikers as Knights of Labor.

Have you any knowledge as to whether they in fact belonged to that order or not?—A. Only from hearsay.

Q. You use it as a term designating strikers; do you know whether they belonged to the order or not?—A. That was the usual estimation of them.

Q. (By Mr. OUTHWAITE.) Please name the three men prosecuted?—A. George Matthews, Robert Hager, and McCleary. I do not recollect his first name.

Q. I am requested to ask you this. Whether you will state of your own knowledge that any depredations were committed by Knights of Labor; and, if so, to name the Knight?—A. Well, not being a member myself, and not having any other light, I could not state positively that they were Knights. My impression is, and I believe they were Knights of Labor.

Q. Was that hearsay from one or two parties and general rumor at the time?—A. Yes, sir.

Q. What was the general statement of the cause of this strike, if you heard any name it?—A. I never saw one gentleman there who knew any cause for it.

Q. Did you ever hear any of them make any statement as to why they went out?—A. "That they were ordered out" was all that they could say.

JOHN PARKER sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. At Taylor, Williamson County, Texas.

Q. How long have you resided there?—A. About five years.

Q. What official position do you hold?—A. I am city attorney.

Q. Do you remember the commencement of the strike there?—A. I believe so.

Q. What was the date?—A. I think it was about the 8th. That is my recollection.

Q. Was the movement of trains interfered with there to your knowledge?—A. Yes, sir.

Q. What local measures were taken to stop the interference or punish it?—A. Well, three parties were arrested. They were prosecuted for the simple assault and battery on W. L. Stimis, as our court has no jurisdiction to try malicious-mischief cases.

Q. About what date was the prosecution?—A. The assault was made on the 10th, I believe. The prosecutions were instituted on the same day. One of the parties was acquitted of the charge. Matthews, tried before the same parties, on the same charge, was convicted; and I dismissed the case against McCleary with the understanding that they desist from further violation of the law in that respect.

Q. With whom was that understanding?—A. There were two gentlemen whose names I do not know—I would know their faces—who seemed to act for the Knights of Labor. That was my understanding; and I think it was generally understood. They claimed to be representing the Knights of Labor at that place, and manifested very great concern at the prosecution of these parties. It was with those gentlemen that I made this arrangement in McCleary's case.

Q. How was the assault connected with the railroad disturbances?—A. I only know by what was stated in the testimony. The evidence showed that W. M. Stimis was placed in charge of the water-cock; that the water-cock was connected with the tender to the engine, and that they were attempting to withdraw the hose or cut the hose. That the strikers approached Stimis and asked him to shut off that water or prevent her from taking it; and McCleary, and perhaps one or two others, laid hold of him, and he still held on to the water-cock, and George Matthews came in, and he was chunked about in the face with the fist; and McCleary touched him from behind, on his head, with his fist. The evidence only showed that Hager had his hands on him, and it also showed that in the attempt to get to Stimis he was prevented by some party; I forget his name.

Q. What effect upon the disturbances and violences did this prosecution seem to have?—A. I can only speak from hearsay and from the understanding which I announced; but I do not think it had any beneficial effect with the strikers.

Q. The disturbances went on?—A. Yes, sir.

Q. You have heard the testimony of the last witness as to injuries to business and as to the posse who assisted in moving out trains?—A. Yes, sir.

Q. Do you substantially agree with him in his statements in these respects?—A. Yes, sir; the statement is substantially correct.

WILLIAM L. STIMIS sworn and examined.

By Mr. BUCHANAN:

Question. Are you the gentleman referred to by the last witness as having suffered personal violence while in the employ of the Missouri Pacific company?—Answer. Yes, sir.

Q. Did that occur on the 10th of March last?—A. Yes, sir.

Q. Without going into the details of the affair give us the facts?—A. Well, the facts are simply these: I was instructed by my general foreman to assist him in getting an engine ready to take a freight train out, and the strikers interfered and not only ejected us from our post of duty but even tried to run us out of the roundhouse, and they had hold of me and pounded me out considerably.

Q. What did they say when they attacked you?—A. George Matthews said, "You had better get out of the roundhouse or we will fire you out."

Q. Were you then in the employ of the company?—A. Yes, sir.

Q. Was he out on a strike?—A. Yes, sir.

Q. These men undertook to make men still in the employ get off the company's property?—A. Yes, sir.

Q. Were you taken away from the engine?—A. I was not with the engine.

Q. Were you taken from your work?—A. I was taken from my post of duty.

Q. Were you prevented from doing the duty you were ordered to do by your foreman?—A. Yes, sir.

Q. And so prevented by the force that was used?—A. Yes, sir.

Q. Were you injured?—A. Not seriously.

Q. Did they beat you?—A. They put a couple of black eyes on me and put a few lumps on the top of my head.

Q. What happened on the 10th of March?—A. On the night of the 10th of March I saw them take an engine from an engineer, run it to the pit, throw water in the fire-box, let the water out of the boiler, and kill her.

Q. Did you know the men that did that?—A. I knew one or two of them.

Q. Were they then in the employ of the company?—A. No, sir.

Q. Were they strikers?—A. Yes, sir.

Q. What happened on the 15th of March?—A. I saw them there in a body, and saw them by setting brakes and standing in front of the train prevent the engineer from going through with his duty.

Q. Was there a large body engaged in this?—A. I suppose near about forty.

Q. Men who were not at that time in the employ of the company?—A. They were not.

Q. Men who had left the employ of the company—strikers?—A. Yes, sir.

Q. Have any threats been used toward you?—A. I have had several, at least three. One threat and that by letter.

Q. What was the purport of the threat?—A. In the second one the parties claimed that they would "kangaroo" me, and gave me a few hours to leave.

Q. What particular significance has the term "kangaroo" in this section?—A. It is used when they do not like a man, and is used to try to run another from the country.

Q. You received threats by letter; have you these letters?—A. Mr. Spangler, I believe, has them; if he is here. [Handing a letter to Mr. Buchanan.] That is one of them; I do not know where the first one is. The first one gave me all the names in detail. Mr. Herrin says the first is in St. Louis.

Q. This seems to be addressed to Mr. Spangler. Had he charge of anything?—A. He was the general foreman of that gang. I am his foreman under him.

Q. This did not come to you personally?—A. It came to Mr. Spangler.

Q. How long have you been in the service of the company?—A. Somewhere about nine years, throughout the system.

Q. Where?—A. I have been stationed at Big Spring, El Paso, Fort Worth, Weatherford, and Texarkana.

Q. And how long at this last place?—A. Three years.

SAMUEL H. SPANGLER sworn and examined.

Question. (By Mr. PARKER.) What is your position under the company?—Answer. I am general foreman in the Pacific shops at Taylor.

Q. Were you employed there last March?—A. I was.

Q. Do you remember the commencement of the strike there?—A. Yes, sir.

Q. When was it?—A. It occurred at 11 a. m. on the 8th of March.

Q. You may state its commencement.—A. At 10 o'clock one of our blacksmiths, by the name of James Pitt, who was master workman of the Knights of Labor, received a telegram. He told me that it was an order to strike. He told the stationary engineer to blow the whistle at 11 o'clock. He did so, and all the Knights of Labor left work; and what few men were not Knights of Labor were told that it would be best for them to leave work, and some of them wanted to leave. I told them they had better quit work if they felt any way uneasy about it. The Knights of Labor had a meeting about 1 o'clock and appointed a committee or a lot of men to take charge of the property and the engine shops; they said they would look after the business at Taylor; that they had

appointed men to do this work. I declined to receive the men, stating that I preferred to have men of my own appointment, and kept on sufficient force to do the work. Well, things went on quietly until March 10. I gave orders to my hostlers to get out engine 519 in the morning for a train that was due to leave at 5 o'clock for the south. About 3 o'clock they started to put water in the boiler, and a crowd of strikers, composed of Knights of Labor, entered the roundhouse and forcibly obliged them to take the water-plugs out of the engine and take away the water, and would not allow them to do the work. At 9.30 o'clock I got up a crowd of the employes and started to get the engine ready again, and after we got the boiler filled and the fire started in the engine and commenced to make steam, a crowd of twenty-five or thirty, or perhaps forty, entered the roundhouse and endeavored to kill the engine. We managed to resist them for fifteen minutes. They assaulted Mr. Stimis and requested Mr. Buck to get out of the cab. Mr. Buck is the traveling engineer. They only hurt Mr. Stimis. They took us away by force, but did not hurt any of us. Then they turned water into the fire-box, put out the fire and let the water out of the engine, and disabled five freight engines that we had in the house.

Q. What was this engine to be used for?—A. For freight.

Q. Were passenger trains allowed to run?—A. We run out the passenger train without any interference. They took off some parts of the machinery of these five engines we had in the roundhouse and hid them away; and then they had the whole property until the night of the 11th. On the night of the 10th we fixed engine No. 765 and also 25 and a freight engine that came in. They killed them. They allowed us to get them ready on the morning of the 11th to go out. On the night of the 11th I got some men to act as watchmen and to prevent any damage by disabling the engines or at least to see who did the damage and see that they did not take any of the parts of machinery. I did not try to get any more freight engines out until the 15th, and on that morning we tried to get out another engine for a freight train for the south. About 3 o'clock we got fire in the engine and they again came in a crowd and killed the engine that time. About 6 o'clock we started to get another engine ready and I called on the mayor for protection. He told me he would give me protection, and he had deputies and special police commissioned so that in getting out that train they did not interfere until we got the engine coupled to the train and then they tried to stop the engine by setting brakes, &c. They were forced off by the officers and the train was allowed to proceed.

Q. Did trains run after that?—A. No, sir; we did not run any more freight trains until the 26th. On the morning of the 26th we commenced running trains again and then ran them without interference.

Q. Was there any interference in delivering freight?—A. They would not allow freight trains to be moved round the depot and they kept the yard engine so killed that we could not move them. They would allow us to switch the passenger cars.

Q. Had you any talk with Mr. Pitt as to allowing the delivery of freight?—A. I had a talk with him in regard to getting out engines and he told me that he would not allow them to be got out.

Q. Go on and state anything further that transpired.—A. After we got out the first freight train a crowd of them came around and told me they would not let the second freight train be moved out under any consideration.

Q. What did you do then?—A. We did not have occasion to try until the 26th, and we had protection then. Both the sheriff and the mayor promised protection, and they had a talk with the leading strikers and advised them to stay away, and they did stay away.

Q. Had you any further trouble about moving trains after that?—A. No, sir.

Q. Did you get back parts of the machinery that had been taken away?—A. I think about the 20th of the month they were hid away and parts for one engine I did not find, but I got new parts for it. Some of the pieces were returned.

Q. Was there much confusion when the men got together and tried to prevent the movement of trains?—A. Yes, sir.

Q. About what was the largest number in any of the crowds at any one time, and of what were they composed?—A. Some of the old shop-men, a number of section-men, and a number of outside parties not at all connected with the railroad.

Q. Making in all about how many?—A. About sixty men.

Q. Did you at any time receive a threatening letter?—A. Yes, sir; two.

Q. Have you either of them?—A. I just got one of them.

Q. Where is the other?—A. It is in Mr. Herrin's hands.

Q. Is this one of them [indicating]?—A. That is the second one. The first one was received in the same period.

Q. Was it about the same thing?—A. Yes, sir.

Q. Examine this envelope. [Handing it to witness.] Is that what the second one came in?—A. Yes, sir.

The following letter was then introduced in evidence:

COW BOYS' RANCH, TEXAS, *May 1, 1886.*

H. S. SPANGLER.

You and your friends have paid no attention to the notice you received a few days ago instructing you to leave this place. We have visited your house and have found you had moved to another and also quit coming to the roundhouse after night, which is very well for you; but we have selected a man out of our gang for the purpose of lynching you all, and he will get you sooner or later, if you don't leave. He is a man that has stained his hands several times, and will stain them again if you men will not leave without. We have warned you our last time, so you can look out. We think our man will get the last one of you pretty soon.

Yours,

KNIGHTS OF LABOR COW BOYS, MOB NO. 1.

The envelope is addressed "H. S. Spangler, Taylor, Texas." Stamped with a two-cent stamp, which is not canceled, and the envelope bears no evidence of having passed through the mail.

Q. Have you received any other since that?—A. No, sir.

Q. Have you received any other verbal threats?—A. Yes, sir.

Q. Is there any other circumstances that you consider of importance and wish to detail relative to the strike?—A. No, sir; none other.

JOHN A. SMITH sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you live?—Answer. At Waco, Tex.

Q. How far is that from this point?—A. Eighty-eight miles.

Q. On what railroad?—A. On the Missouri, Kansas and Texas, a branch of the Missouri Pacific.

Q. How long have you lived there?—A. Nine months.

Q. What position have you held under the Missouri, Kansas and Texas?—A. I have been freight agent at Waco during the entire time.

Q. Have you followed that business at any other point?—A. Yes, sir. I was at Palestine, Tex., at one time on the International and Great Northern road.

Q. What information had you of the coming of the strike?—A. I had no information of it till it was announced that there was a strike on the Texas and Pacific.

Q. When it was announced what cause was given by the men who went out, if any?—A. It was owing to the discharge of a man by the name of Hall at Marshall, Tex., at the car-shops.

Q. Was any other cause given by the strikers?—A. Not for some weeks.

Q. Was there any interference with the movement of freight at your place?—A. Well, we usually have two freight trains coming from the north and from the south passing through Waco. On the arrival of the freight train from the north on the 3d of March, as near as I can remember, the train was running between Grand View, which is about 50 miles north of Waco and Temple, and had to run to Taylor; but they were running to Grand View and Temple because they were afraid to run to Alvarado and Taylor lest the strikers should kill the engine.

Q. Do you know whether any notice was served upon the engineer and conductor and crew in charge of this train?—A. Yes, sir. I have the conductor's verbal statement to the effect, and I saw a written notice to the engineer.

Q. What was the notice?—A. The Knights of Labor requested him not to run the engine.

Q. What happened on the afternoon of March 8?—A. On the 8th of March, in the afternoon, this train that we had been running through Grand View and Temple on the north came in from the north at 3.30. A little after 4 o'clock our conductor came to me and told me he had been notified by two or three Knights who had come down from Alvarado for the purpose of killing that engine; that they intended to take possession of her, and that they had a body of men sufficient to resist any force that would be brought against them; and the parties who had informed him said that in five or ten minutes there would be forty men there. I saw the men armed. I started out to get assistance and when I got back I found that the engine had been disabled, as they usually do when they kill them. I called upon the sheriff to arrest the men who had performed the work. He did so, and they gave bond. They were tried about a week or ten days after and found guilty. We had them arrested on a charge of malicious mischief.

Q. How many of them were arrested?—A. Only two were actively engaged in killing the engine.

Q. What was the result?—A. They pleaded guilty of letting the water out, and were fined \$1 each.

Q. You may state any trouble in connection with the road that occurred on March 25.—A. I do not remember whether that was the day, but about that time a train that was bearing Governor Ireland was at the depot about the time there was trouble at Fort Worth. About 8 o'clock the train, which is a postal and passenger train, was about to start and the engineer felt the train jump. He got off the train to see what the trouble was and found that the cylinder-heads on each side had been driven in. He found a strong bolt that had been placed on the piston-head.

Q. What effect had that on the locomotive?—A. It disabled it and damaged it very considerably, to what extent I am not competent to state.

Q. What effect has the strike had on the business of your community?—A. It had the effect of paralyzing business so much that nobody would buy, and merchants were afraid to sell. The wholesale merchants did not ship, and they did not receive any goods from the north after March 3, until April.

Q. From what parts in the north?—A. From Saint Louis, Chicago, and different points in Kansas they got their flour. After March 8 we did not get a train until April 1.

Q. How large a place is Waco?—A. It was nearly 6,800 at the last census.

Q. What stores, if any, do they ship to other points?—A. We load out two or three cars of wholesale goods to small towns every day.

Q. Do you send any into other States?—A. Yes, sir. We have a woolen-mill manufacturing goods, which they ship north every day, and also to Louisiana.

Q. Then everything was interfered with?—A. Stopped entirely.

Q. Have you any further statements as to the cause or extent of this strike?—A. No, sir, none further than that; no other cause than I have already stated was ever known to me, that a demand had been made on the Texas and Pacific road for the reinstatement of this man Hall.

JOHN J. SEAY sworn and examined.

By Mr. BUCHANAN:

Question. Where do you live?—Answer. Waco, Tex.

Q. What is your business?—A. Brick contractor.

Q. What is your age?—A. Forty-three.

Q. How long have you lived in the State of Texas?—A. Fourteen years.

Q. You are aware that there has been a strike on the Missouri Pacific system?—A. Yes, sir.

Q. What have you to say as to the immediate cause of this strike?—A. I only have heard the rumors of the cause.

Q. What have you to say as to the approximate cause?—A. My idea of the approximate cause is from the nature of the occupation of the men, continually moving from place to place, their home associations are broken up, and the result is they feel that they have no home and no abiding place, and lose interest as citizens.

Q. What would the cause be in the case of the strikers that have homes?—A. It has not been my experience that they had homes.

Q. Suppose testimony so far taken of a great number who have homes connected with the strike, what would you have to say as to the cause with them?—A. I would assign some cause connected with the employment.

Q. Have you any knowledge as to any damage to the manufacturing interests generally caused by this strike?—A. No, sir. All our manufacturing establishments had to stop work on account of the want of fuel. Our coal comes over the Missouri Pacific line.

Q. From the memoranda handed me I understand that you have some suggestion to make to the committee as to the correction of grievances. If so, please state them.—A. My judgment is predicated upon experience and watching the question closely. It has been the result of my experience that where mechanics have homes and where their interests are identified with a town in which they live they are less apt to be dissatisfied with the institutions surrounding them, and it makes them conservative.

Q. What have you to say as to the methods to be employed in the correction of grievances?—A. Why, sir, I would hardly know what suggestions to make in reference to the railroad interests and as to how they can be best served, not being a railroad man. I know from experience that a number of railroad men when they have thought they were located have bought homes, and then have been compelled to move and sell their property.

Q. What has been your observation as favoring the application of arbitration to these differences?—A. That is good, provided the arbitrators are from both parties interested in the dispute.

Q. You would not leave it to disinterested parties?—A. No, sir. I cannot conceive,

sir, how parties disinterested can thoroughly understand the circumstances connected with the case. In cases of a dispute between the employés and the company, according to my judgment, parties connected with the same business should be selected, and the employés should choose men on their side from among themselves.

Q. Each side to be equal in number?—A. Yes, sir.

Q. Would you expect a verdict to be arrived at under such circumstances?—A. I think that by selecting an equal number on each side, then they could select three others and leave the verdict to that three.

Q. You have been speaking as to remedies for grievances. What suggestions have you to make looking towards the prevention of grievances arising?—A. Well, sir, I think that all different trades should be organized, and their organization should be recognized by law. That they should have their proper officer that would be responsible under the law. Being a result of that circumstance, and acknowledged as the representatives of that organization, where grievances should arise they could present them through their officers to the proper authorities, with whom they were working, and then they would be recognized.

Q. So that you think organization would tend to the simplification of the relation between labor and its employers?—A. I do so.

Q. Would you prohibit the importation of foreign contract labor?—A. I would, sir.

Q. Would you prohibit the competition of convict labor with honest labor?—A. Well, sir, I know of but one way to prevent that, and that is that they should use them upon the public roads. That is the only way to prevent convict labor coming into competition with honest labor.

Q. In the repair of the public highway?—A. Yes, sir.

Q. Would you include the repairs of railroads?—A. No, sir.

Q. I am requested to ask you whether you have any knowledge of men in the employ of the company being compelled to trade at certain stores?—A. No, sir; I have not.

Q. Have you any information in that direction that would be of service to the committee in their prosecution of this investigation?—A. No, sir; I do not know of any employés of the road being compelled to trade at any particular place. I heard that some of our merchants had made an endeavor to fight the workingmen's organization by refusing to sell to them on the same terms as to other parties. I know of one instance of that nature.

Q. Do you know of any stores being kept by men in the service of the railroad company at which the men employed by the railroad company are compelled to trade?—A. No, sir; I do not.

Q. Did you ever hear rumors of that kind along the road?—A. No, sir.

Q. You spoke of the benefits of the organization of labor, so that it could treat with its employer as to grievances. Would not that benefit be frustrated if, when organized, its appointed agents wait upon the employer and he refuses to receive them?—A. No, sir; because by organizing and controlling those in the service of the lines they would win the approval of the community at large, and public sentiment would compel the employers to give them justice without any necessity for resorting to other means.

Q. So that if a grievance arose and an organization laid it before the employer and he refused to receive the delegation, your advice to the men would be to depend on public opinion rather than resort to a strike?—A. Yes, sir.

Q. You spoke about the workingman having a home of his own, and about the sacrifice of the home; do you know of any instance in which railroad employés thrown out of employment have been compelled to leave their homes and seek employment elsewhere?—A. No, sir; I do not. I simply knew of cases where they thought their homes would be located, and were compelled to sell their homes in order to procure homes at another place.

Q. (By Mr. PARKER.) Is there any surplus labor that could be readily used in railroad service in this part of the country?—A. There is not in our community, sir.

Q. When the strikers go out do not men readily appear to fill their places, if there is no interference with their doing so?—A. There is not at our place.

WILLIAM D. LACY sworn and examined.

By Mr. PARKER:

Question. What is your business?—Answer. I am managing a compress and am a coal dealer at Waco.

Q. You were there and so engaged during the strike?—A. Yes, sir, I was.

Q. You may describe the effect of the strike upon the local trade.—A. Well, sir, it was for about forty days, I think, from about the 3d of March to the 7th or 8th of April, as well as I remember, and traffic was partially paralyzed.

Q. What was the effect upon the supply of coal?—A. It was entirely cut off.

Q. And what effect had that?—A. It had the effect of stopping some of our machinery.

Q. In what kind of manufactories?—A. Well, we have a woolen mill, and we employ something like a hundred or a hundred and twenty-five people. They shut down some two or three weeks on account of it.

Q. The manufacturing of the town was stopped and the people thrown out of employment?—Yes, sir.

Q. What effect had the detention of freight?—A. It is a hard matter to calculate, but there were a great many goods that had been ordered, and that were expected, which were thrown out of season. Others that would have been ordered were not. Some of the goods in transit were thrown out of season by means of the detention; and other goods were not ordered, from the fact that the merchants recognized the fact that they could not get them there.

Q. So there was a general injury to the railroad company and to the merchants of the town, and stoppage of the local manufactories?—A. Yes, sir. I think that while the railroad possibly suffered the most, we all suffered more or less. I think that those who had been employed by the railroad company, and not themselves strikers, were thrown out of employment on account of the strike.

Q. You may describe any benefits that the strike conferred upon people in your community, or any other.—A. I do not know of any that it has conferred.

STOCKLEY W. SLAYDEN sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Waco.

Q. How long have you resided there?—A. Some four years.

Q. Previous to that where did you reside?—A. I went from Saint Louis, Mo.

Q. What is your business?—A. I am in the manufacturing business.

Q. What do you manufacture?—A. I manufacture various goods that are made in a woolen mill.

Q. Was there a strike upon the road there?—A. Yes, sir.

Q. What do you know as to the cause of that strike?—A. Well, I think it to have been contributed to by Mr. Hall's going out on the Texas and Pacific; and then that the Missouri Pacific employes went out. They said they were ordered, and some said they did not know why.

Q. Did you converse with any of the strikers at Waco?—A. Yes, sir; I conversed with some of the employes.

Q. Were they strikers?—A. Well, I do not know whether they were strikers or not. After it had been pending some time, business stopped and they were out.

Q. And the men with whom you conversed were not known to be strikers. Did you hear any of those men speak of any grievances they had against the Missouri Pacific?—A. No, sir; I talked with some of them, and they did not seem to allege any grievances against the Missouri Pacific.

Q. Do you know anything about the damage to the business of Waco?—A. Yes, sir; we consider that the damage was very great.

Q. What have you to say as to the necessity for further legislation to prevent the cessation of business upon lines of the railroad companies of the country?—A. I was impressed with the fact that there was a defect in legislation in our State upon the subject, because I believe that the majority of the strikers and men that were out of employment because of the strike were out against their will, and that they were opposed to the strike. I felt that the majority of the railroad employes really would rather have been at work, and they felt that they had no grievances; but that there were a few leaders that were assuming that there were grievances; that there was a moral pressure brought to bear upon them, and that there was no moral organization to resist those leaders. I noticed that there were very few men that did any devilment and that made any effort to prevent the cars from running. I talked with some of our county officers and they seemed to think that there was no recourse; that if they had merely committed malicious mischief they could get the case continued or get a verdict for a small punishment. Our attorney seemed to think that if the offense of killing engines and preventing men from working by force and intimidation was made a felony, that then they could arrest these men, indict them, and by a strong verdict prevent them from exercising this influence over weaker men.

Q. What have you to say of any remedy that can be devised by national legislation?—A. I cannot see what there could be, unless it is the right to regulate under the Constitution interstate commerce; and I think there seems to be a disposition to yield to the power of General Government in this respect. It seems to be assumed that there is more or less sympathy in the State officers than there would be with a national authority.

Q. You have spoken now of repressive measures after the trouble has broken out. What suggestion have you to offer as to legislation which would bring about a state of affairs where these outbreaks would not occur, or a removal of the cause?—A. I have believed that the men that are in this strike feel now that it was a mistake, and they are not so apt to go out again. If the organization remains intact, and arbitration is recognized in the future, they will not strike unless through orders from their superiors, and they will be more willing to confer with the railroads; and if both parties are disposed to do it, I think the trouble would be avoided.

Q. Your objection is not to the organization, but to the effect of an organization that is largely controlled by a few men whose purposes you do not approve?—A. Yes, sir. I think this time it was an impulsive explosion, and I do not think it is likely to recur in the future.

Q. (By Mr. PARKER.) Is there not a surplus of labor at your place?—A. Well, I would not say positively that there is. I believe there is.

Q. Suppose a strike declared upon a railroad amounted merely to a walk-out; would there be any serious detention of trains or business?—A. I do not believe there would. I believe they could supply their places; though perhaps not with skilled or adept labor.

Q. With labor that would be sufficiently adept that they could run the trains?—A. Yes, sir; I think so.

Q. Then a strike to be effective would have to use force?—A. I think so.

Q. (By Mr. BUCHANAN.) You spoke of arbitration. Suppose that an organization of persons had grievances, real or alleged, to be arbitrated and the other side refused arbitration, what remedy would you then suggest?—A. They would have no remedy except to quit, that I could see; but I think that public sentiment, if they had just grievances, would compel a hearing of those grievances, and that they would be adjusted.

Q. But in what way could public sentiment be reached?—A. Well, I think that all business is controlled by public sentiment. They are dependent upon the public for support, and the competition existing with various railroads makes each one apt to do what is right towards its employes.

Q. Have you any information as to whether or not the plan that you have suggested was tried in the present case?—A. Well, none, except general reading. I may not say that they went out without conferring with their head men.

Q. You have no special information, have you?—A. No, sir.

WILLIAM E. EASTON sworn and examined.

By Mr. OUTHWAITE:

Question. What is your employment?—Answer. I am an engineer on the Missouri Pacific road.

Q. You may state where you were on the 30th of March.—A. On the 30th of March, in the evening, I left Alvarado and came to Fort Worth.

Q. At that time what communication, if any, had you with strikers?—A. On the day previous to the 30th one of them came to me and asked me if I would get down off my engine if they asked me. I told him no, and that their order should not blame us engineers for doing our duty. The reply was, he did not suppose they wanted them to lose their places by getting down from our engines.

Q. Where were you on the 31st?—A. At Fort Worth.

Q. Do you know anything about engine 54?—A. Yes, sir; I was in the yard at the time she was killed, I believe it is called.

Q. Was that attended by any crowd?—A. No, sir; by but a few men. There were three, four, or five at the time the "blow-off" was first opened on the engine.

Q. What have you to say about 105, which afterward arrived?—A. It arrived afterward, I do not know just how long. When the freight came in, the strikers boarded the engine, stopped her, and cut the train in pieces.

Q. How?—A. By pulling the pins. The engine got through the yard with only four or five cars. The remainder of the train was left in the yard cut in pieces.

Q. That hindered the running of trains?—A. Yes, sir. I was called to go out that day. After that excitement they sent me back; they did not want me.

Q. Did you attempt to go out on the 1st of April?—A. On the 1st of April I was called to go out. At 9 o'clock I went up in the yard, and was there from 9 to 11.30. There were a great many strikers there, and they cut the train to pieces by pulling the pins.

Q. What have you to say as to the occurrences on the 3d of April, when engine 54 came in with the coal train from the switch; what happened?—A. There was a little excitement when the engine came through. They had injunctions served upon the strikers. There was only one thing that I saw that drew my attention. There was a lady with a red flag waving in front of the engine as it was pulling through the yard.

In the morning, before the train went to the switch, I was sitting reading a paper. Some one came to me (whether he was a striker or not I do not know) and asked me if I was going out that morning. I told him I was not, "It is Smith's turn," and he said, "Go and tell Smith not to go." I asked him why, and he said, "There is danger." I told him Smith was going anyway, and if not, I would, or some of us would go. I told him we could not manage Smith, and that we could not leave our engine, and if we did, that we would not be needed any more on the Missouri Pacific.

Q. Was it one of the men who have been in the employ of the company?—A. I cannot say as to that.

Q. Did you take the local coal train on the 4th of April?—A. On the 4th of April, after the shooting was done, I took the same ill-fated train out of Fort Worth.

Q. What shooting?—A. Engine 54 was pulling this coal train from Hodge, and started with it from Fort Worth, and in the way they were encountered by men with guns, and they had a little bit of a battle there with the strikers, and came back.

Q. Was anybody shot?—A. There was one of the officers wounded; one died, I believe, in the evening at 5 o'clock; another hurt; and one striker wounded. I do not know whether any more were wounded.

Q. Where did that shooting take place?—A. At the Fort Worth and New Orleans crossing.

Q. How far is that from the city of Fort Worth?—A. I think it is not 2 miles.

Q. East of the town?—A. South of the town.

Q. How many men were in that skirmish?—A. I cannot say that, as I was not there.

Q. What is the general rumor?—A. I was not there to see; I heard a great many different rumors about it.

Q. Did you ever receive any letters threatening you?—A. Yes, sir; I have a letter in my pocket now.

Q. Were you personally well acquainted with a great many of these men who went out on the strike?—A. Yes, sir; I was.

Q. Did you mingle among them and see them at the time of the strike?—A. Yes, sir.

Q. What was the general statement as to why they went out—as coming from them?—A. I had a good deal of talk with some of them about it. Some of them would tell me they did not know why; others told me because they were ordered out by another precinct and had to go out on account of the Texas and Pacific going out, or something to that effect.

Q. Anything else that any of them said as to the reason for their going out?—A. I do not know that there was.

Q. Do you know the name of the woman who carried the red flag in front of the train?—A. I have heard her name; I cannot swear what it was.

Q. What else was going on while she was carrying the red flag in front of this train?—A. Well, there was nothing but the train going through the yard at the time.

Q. Were there any men around?—A. Yes, sir; there was a crowd of men and officers there, standing on the side of the track, and gave a cheer as they went through.

Q. Was this woman there as part of the strike and creating excitement?—A. When the engine first went to Hodge the lady and two others walked up and down the track, maybe three times. As the engine came back they stood on the crossing, or right close to the crossing. As the engine approached them this lady with the red flag walked off, and, as the engine got right to her, she waved the flag and did not leave the track until the engine had almost pushed her off.

Q. Did she go right down toward the engine?—A. From the engine to about this crossing, and then she stood on the track there.

Q. Was that the day of the shooting?—A. Yes, sir, that was the day of the shooting.

Q. Did the shooting take place after this?—A. Just after this.

Q. What do you mean—within a few minutes?—A. Within thirty or forty minutes.

Q. And how far from there?—A. About 2 miles.

Q. What was the date of the shooting?—A. It was on the 3d of April.

Q. This letter you received was on the 5th of April, and is as follows:

APRIL 5, 1886.

GENTLEMEN: You are respectfully requested to desist running trains on the Missouri Pacific Railroad; and further are notified that if you disregard this admonition your disinclination to follow the advice will be at your own peril. We do not ask you to take an active part; but please refuse to assist Jay Gould in his endeavors to crush the poor laboring men of the country who have created his millions of wealth. Please notify the Brotherhood of Engineers and firemen to act; there may be danger ahead; beware of breakers.

YOUR TRUE FRIEND.

MR. W. EASTON,
Engineer, and Fireman Engine No. 124.

The envelope was addressed "Mr. Wm. Easton, Alvarado, Tex., engine 124," and postmarked "Fort Worth, Tex., April 5, 7.30 p. m., 1886."

Q. (By Mr. BUCHANAN.) Was this red flag that you spoke of such as are used upon the railroads?—A. It was a red flag; but I do not know whether it was made of the same material that we use or not.

Q. It might have been a railroad flag, might it not?—A. I cannot say as to that; I was not close enough to it.

Q. Was it waved at the crossing?—A. It was waved on the track; I could not say whether she stood right on the crossing.

Q. Might it not have been waved as a warning?—A. Well, I guess in that kind of time, or any excitable time, that flag might have been waved to stop that train until they could have cut the train. If it had not been in a strike you could look at it in that light; but still it might have been a warning.

Q. (By Mr. OUTHWAITE.) Do you know anything further concerning this strike?—A. Nothing in particular, sir; I picked up a wreck on March 29.

Q. You can tell us about the wreck and how you found it.—A. I found three cars in the ditch, the engine bottom-side up, and the track tore up when I went to the wreck.

Q. There was some men employed on the train that were injured there?—A. Sam. Baird had his arm broken, and was hurt in the back and hip. Burns, the fireman, lay under the tank an hour and forty minutes.

GEORGE E. BUCK sworn and examined.

By Mr. PARKER:

Question. Are you traveling engineer for the Missouri Pacific Railroad?—Answer. Yes, sir.

Q. And were in March last?—A. Yes, sir.

Q. Did you learn or were you informed that there was trouble at Alvarado during the strike?—A. Yes, sir, I was informed on the last day of February that there was trouble, and on the 1st day of March I was informed that they killed engines there.

Q. What did you do?—A. I was ordered to go to Alvarado and see what was the cause. I went to Alvarado and I found six engines without any fire or water in them, and the strikers in possession of the roundhouse and engines. I tried to persuade them to allow me to put water and fire into them and move trains and they would not allow me to do so.

Q. Who were the persons having charge?—A. Several of them; I have the names of two or three.

Q. Have you got them with you?—A. Yes, sir.

Q. What did they say?—A. They said they had an order to stop work.

Q. An order from whom?—A. From the Knights of Labor.

Q. What did they say as to being in the order themselves?—A. They said that they belonged to the Knights of Labor.

Q. Can you give the names of any of them?—A. They were W. E. Bonnsage, S. Booth, M. N. Anthony, Jeff. Anthony, Tone Been, Andy Moore, Aleck Keen, Jeff. Haygood, T. E. Boss, and — Murray.

Q. What was Murray's first name?—A. I do not know.

Q. You may tell anything more that you remember as to conversation with them there.—A. I asked them the reason why they refused to let me do so, and they said simply because they had an order to do so. I staid there that day and waited till next day to see them and ask them again, and they said they would not allow me to start them at all.

Q. Were they men that had been in the employ of the company?—A. They were around there; some of them were in the employ of the company.

Q. Did any men remain in charge of the property there who did not strike?—A. No, sir; everything was in the possession of the Knights of Labor.

Q. Who were strikers?—A. Who were strikers.

Q. State if any threats were made to you.—A. Well, I was told I would have to get out of town; they would not be responsible for me if I did not get off the company's grounds.

Q. Did you go?—A. I went ont to the depot and stayed there until night, and then went away.

Q. Where did you go?—A. To Fort Worth.

Q. Did you at any time or place ever attempt to take out an engine?—A. On the 9th of March I went back again and tried to get the water in one and take it out, and they would not let me do it.

HENRY GARRETT sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you live, and what is your business?—Answer. I live at Taylor, Williamson County, and am a passenger engineer between Taylor and Alvarado.

Q. What were you doing on the 1st of March?—A. Running my engine between Alvarado and Taylor.

Q. What do you know of any attempt on the part of strikers to kill engines?—A. Well, on the 2d of March I came in and found the engines there all dead, and on the 7th of March I went there to get on my engine. The strikers told me that they would help us to get passenger trains, but no freight trains; and directly they got on the engine and killed her just as soon as they could.

Q. Do you know these men, and were they formerly employes of the road?—A. Yes, sir.

Q. What organization do they claim to belong to?—A. They claim to belong to the Knights of Labor.

Q. You may give their names.—A. There was Murray and their chief.

Q. Where did he come from?—A. He came from Dallas to Alvarado about a week or two before.

Q. State whether you were ordered to leave your engine.—A. No, sir; I was not ordered to leave my engine, but was ordered to leave the country. I came back to Alvarado and asked to get an engine there, disabled, out of the shop, and went to work there on the 28th or 29th and worked there a day or two and helped coal up a train, and then Mr. Brundage came down. That evening I went to go to my room and found a card telling me to get out of the town and country.

Q. Was it signed by any one you know?—A. No, sir.

Q. Were you acquainted with the employes of the road generally at the time of the strike?—A. Yes, sir.

Q. Can you tell us what they said was the reason for going out?—A. They said they were ordered out by another precinct, and I asked them what grievance they had, and they said they did not have any particularly, only the convict labor used by the railroad company, the use of Chinamen, and this man C. A. Hall being out.

Q. Which railroad was it that used Chinamen?—A. I think it was the west end of the Texas and Pacific.

Q. And which road employs the convict labor?—A. This road. There are some convicts employed down there.

Q. Did they state whether these grievances had ever been presented to the officers?—A. No, sir; I think they did not, but that they were going to demand 15 or 20 per cent. more on their day's labor.

Q. State anything else that you know about this strike.—A. Nothing further than the damage done to the engines, taking the valves and valve-stems and throttle-stems from them.

Q. (By Mr. BUCHANAN.) On which road were the convicts employed?—A. On the Missouri Pacific, on our Waco division.

Q. How long have they been employed there?—A. I cannot say, but about four or five months.

Q. Do you know the number of men and what they are employed at?—A. They are track hands. I do not know exactly the number, but I think about fifty.

Q. Are they employed by themselves or is other labor employed with them?—A. They are employed by themselves, except the guards.

Q. Are the guards appointed by the State?—A. I cannot tell you that.

Q. Are they employed on the road now?—A. Yes, sir.

Q. Whereabouts?—A. One between West and Geneva and another between Temple and Echo.

Q. What labor do these gangs perform?—A. They work on the track.

Q. Are they convicts from the penitentiary?—A. I suppose so; they wear striped clothes.

Q. Where are they taken care of at night?—A. They have cars there made for the purpose that they keep them in.

Q. Have you been over the road and seen them actually at work?—A. Yes, sir; I go over the road one way or the other about every day.

Q. Do you know how much is paid for convict labor?—A. No, sir; I do not.

Q. Do you know the foreman of the division on which they are employed?—A. That portion of the road, it would be Mr. T. J. Rowan.

Q. Are you sure that no other labor is employed upon the same section on which this convict labor is employed?—A. Oh, yes, sir; the regular section men.

Q. Are you certain that they are not sometimes set to work at the same point that

these convicts are set to work?—A. Why, I cannot say about that. They work their hands together at times.

Q. At the same kind of work?—A. Yes, sir.

Q. How long have the convict gang been there?—A. Something near five or six months I should think.

WILLIAM FRAZIER sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Alvarado.

Q. Did you hold any position at Denison at the time of the late strike?—A. Yes, sir.

Q. What was it?—A. I was foreman of the roundhouse.

Q. How long did you remain there?—A. From the time that the strike was first inaugurated until the 26th, 27th, or 28th of March.

Q. Then you were transferred where?—A. To Alvarado.

Q. To take charge of the shop at that place?—A. Not at that time, and not until about the 8th of April. I had orders from Mr. Clark to go there, and I was sent down there to get the engines out.

Q. What occurred there on the 6th or 7th of April?—A. I got notice to leave town, and I sent it to Denison to Mr. Clark; he telegraphed me to have it sent him, and I did it.

Q. Have you since that time received any further notices to leave town?—A. Yes, sir; but I did not pay any attention to them. I kept them and made up my mind that I was not going.

Q. Were all these notices without signature?—A. Yes, sir; there was no signature to any of them.

Q. Was anything stated as to the consequences if you did not leave town?—A. No, sir; not directly.

Q. Do you know what was the cause of the wreck on the 29th of March north of Alvarado?—A. It was supposed to be rails torn up.

Q. Did you see the track?—A. I saw where the spikes had been pulled from the rails, and also where the heel of the claw-bar had made marks on the ties, and also where the joints come together the rails seemed to have been moved so as to let the wheel go off the rail.

Q. From the position of the rails did it seem that the spreading of the rail was accidental?—A. No sir; I think not. They seemed to have been moved. You could see from the wheels dropping off at the end of the rail, and also where the spikes had been drawn; and the mark of the claw-bar was fresh on the heel of the tie.

Q. You made a careful examination of everything, and from your examination you are satisfied that the wreck of that train was not accidental?—A. I am.

Q. (By Mr. OUTHWAITE.) In case of an accident, could it be possible that both rails would be moved over as these two were?—A. Not that way. If a train should run off the track they would show where the wheels left the rails, and in this case the mark of the wheel was right at the end of these rails. After a train had run some distance it might possibly tear up a portion of the track and tear the fishplate.

Q. How near to where the train left the track were the spikes that had been freshly drawn?—A. They lay right immediately on the tie that this joint should be on. One of them immediately on the opposite side of the tie that it should be on.

Q. When an accident occurs by the spreading of rails does it pry out the spikes and lay them on the tie?—A. No, sir; I never noticed that it did; but I have seen where the flange of the rail is torn up that it would leave the spike in the tie.

Q. How soon after the accident did you make this investigation?—A. About an hour and a half or two hours. I went out when they got the physician.

Q. Did any one else make the investigation with you?—A. Yes, sir; several citizens were there, and we examined the spikes and ties together. I have the spikes with me. I think Mr. Ray or Mr. Nicholson saw the spikes afterwards, and I think the road-master. I took good care of the spikes. They were perfectly straight, and if it had been an accident they would have been bent.

JAMES W. THOMASON sworn and examined.

By Mr. PARKER:

Question. What is your age?—Answer. Thirty years of age.

Q. Where do you reside?—A. At Fort Worth.

Q. In what business were you engaged during March?—A. I was deputy marshal.

Q. Were you called upon at any time to protect a train out of Fort Worth?—A. Yes, sir; I was.

*Q. Can you tell the date?—A. I was called on the 3d of April at one time.

Q. You may describe what occurred.—A. We were called on to take a freight train, and to go out to Hodge and get coal out there. We went to the junction and got the train and carried it through town, and when near the New Orleans crossing we found that there was a switch thrown on us. I went there with Tim Courtright. The strikers had thrown the switch and on the west side of the track there were four men standing right close to the switch. Mr. Courtright and I got off the engine and arrested these men and put a guard over them. Mr. Townsend and the other officers on the engine called attention to the party on the east side, between 8 and 15 men, about 75 or 100 yards away, armed with Winchester rifles and six-shooters. I got up on the other side and called on the deputies to come over to me. We went out 15 feet or so towards the men, and they all got down on their knees so as to rest their guns. Courtright shouted out: "For Christ's sake don't shoot, and put down those guns." And when he said that they fired on us.

Q. How many guns were fired?—A. I cannot say exactly; but from the way the bullets whistled, and from the reports, there seemed like ten or fifteen.

Q. You may go on and describe what occurred?—A. Well, the first shots that were fired, Mr. Fulford was shot down, and we fought there awhile and Mr. Townsend was shot down. We fought five or ten minutes, and another man, Mr. Sneed, was shot. They fell back, and we could not do much with our pistols in the face of Winchesters, and Mr. Townsend kept begging to bring him back to town, and we put him and the wounded ones on the train and came back to town.

Q. Did any of them die?—A. Yes; Mr. Townsend died.

Q. From that shot?—A. Yes, sir.

Q. How are the others?—A. Mr. Fulford has not got up. Mr. Sneed is here in the house.

Q. Were these men, who were on the engine with you, any of your party?—A. No, sir; we were in charge of Mr. Courtright.

Q. And he is a deputy marshal?—A. Yes, sir.

Q. Mr. Sneed was shot in the head?—A. Right in the cheek under the eye.

Q. How many of the party were shot?—A. Three or four.

Q. Any of them killed?—A. None that we know of, and only one of them has been captured so far.

Q. When Mr. Courtright called on them not to shoot for God's sake, did they make any reply?—A. No, sir; they commenced shooting right there.

Q. Which side fired first?—A. The strikers fired first.

Q. Do you know any of the persons who did the shooting on your party?—A. I do, sir; I know a few of them.

Q. You may state the names of such as you knew?—A. John Hardin, Fred. Pearce, Tom Nace. I think I can identify others, but I cannot say that I know their names.

Q. Who were those men. Were they formerly employes of the road?—A. I think Pearce was working for the road; Hardin I do not think ever worked for the railroad in his life; I do not know about Nace neither.

Q. Do you know whether any of them claimed to belong to any organization?—A. I believed they claimed to be Knights of Labor.

Q. (By Mr. BUCHANAN.) How do you know that?—A. I have heard it.

Q. Have you heard them say so?—A. I do not know; but they were taking part with the Knights of Labor here during the strike.

Q. That did not necessarily make them Knights of Labor?—A. No, sir; but I think they were members of the order.

Q. Have you any knowledge on the subject at all?—A. No, sir; I have no knowledge.

Q. Where are Pearce and Hardin?—A. I do not know. I cannot tell you.

Q. Have they left town?—A. I have not seen them.

Q. Can you identify others that were there?—A. I think that there were others there that I can identify.

THOMAS I. COURTRIGHT sworn and examined.

By Mr. OUTHWAITE:

Question. Where do you live, and what is your age?—Answer. I am forty-two, and live at Fort Worth.

Q. What office have you been filling for some time past?—A. I have been acting deputy city marshal.

Q. On April 3, what were you called upon to do with regard to a train on the Missouri Pacific road?—A. I was called to take a train out of here. We went out and brought it in, about 3 miles out of the country, at the junction.

Q. How many were there with you?—A. There were eight or nine; I do not know which.

Q. Who had charge of the party?—A. Well, I guess they looked on me as having charge.

Q. You went out and brought it in, and then started to take it out again? How far did you proceed before you were interrupted?—A. We were interrupted right in the yard by a flag. They flagged us down, but we were moving through pretty lively, and we did not want them to get on the train.

Q. Who did the flagging before you at that time?—A. A lady.

Q. What kind of a flag did she use?—A. A red flag.

Q. You did not stop but went on; how far out did you get before you stopped?—A. I believe they call it 2 miles.

Q. What happened there to prevent your going on?—A. When we got to this side of the New Orleans crossing we found a switch turned. I saw four men walk away from the switch, and one of them motioned the engine down this way [indicating]. We stopped the engine, and I jumped down on the right-hand side and arrested the four men; and just at that time the crowd called my attention over to the other side, and I turned these four men over to one of my men and told him to look after them. I then came out in front of the engine, and as I did so saw about seven or eight men armed with Winchester over there. I first called on them, "Gentlemen, lay down those arms;" and when I said that they all knelt down and drew their guns, and I said, "Gentlemen, don't," or, "For Christ's sake, don't shoot." I do not remember exactly the words. When I said that they all turned loose and shot, hitting one man right by the side of me.

Q. Who was that?—A. Mr. Fullford. He said, "I am shot." I made the remark, "Get to cover," and then it was a pretty heavy little fight for several minutes.

Q. How many were shot in that affray?—A. Three on our side.

Q. Did any of them die from their wounds?—A. A man by the name of Dick Townsend.

Q. How soon after he was shot did he die?—A. This was between 10 and 12; I believe he died some time next morning. I went right out of town the next morning again with the train.

Q. How many of those men firing upon you were shot?—A. I am not able to tell.

Q. Have you heard that any of them were shot?—A. One of them is in jail here.

Q. What is his name?—A. Thomas Nace.

Q. Do you know any of the men whom you arrested first?—A. Yes, sir; I know two of them, but I did not know the others. I know their names at the present time.

Q. Can you tell whether they lived in the town here or not before that?—A. Yes, sir; one of them.

Q. Do you know whether they worked for the railroad and went out on the strike?—A. I think these men that turned the switch worked for the company. They were always looked on by me as railroad men.

Q. Did you recognize any of the men who fired upon you?—A. Yes, sir.

Q. Can you give the names of any of them?—A. I can give the name of one—Hardin. I have known him for twelve years.

Q. Is he in this country now?—A. I cannot tell.

Q. Have you seen him since that time?—A. No, sir.

Q. Do you know whether any effort has been made by the marshals to find him?—A. I think there has; I have made some myself.

Q. Had you any acquaintance with any of the rest of them, although you may not be able to give their names?—A. I think I would know some of them.

Q. Are there any persons here who claimed to be near and to have seen that affray other than the two parties who took part in it?—A. A man by the name of Ollie Bowles was, and recognized some of the same party. He happened to be right close, on a horse, and saw the whole firing.

Q. Is he here this afternoon?—A. I do not know. He can be easily got. He is up at the court-house on that case up there.

Q. I am requested to ask you whether you were acting within the city limits at the time of this affray?—A. I do not know exactly whether it is in the city limits.

Q. Part of the time you were out of the city limits?—A. Yes, sir; but then I was deputy sheriff of another county. I was deputized in this Alvarado business. I was deputized down there to move trains.

Q. When were you deputized down there?—A. That was on the 29th of March.

Q. Has a deputy sheriff jurisdiction in any county in the State? Has he a right to preserve the peace in any county or only in the county in which he is deputized?—A. I am not certain about that.

Q. Was the only authority under which you were acting as a deputy marshal of Fort Worth and deputy sheriff of Johnson County?—A. Yes, sir.

Q. Were you also requested by the company to act as guard?—A. I was employed by the company.

Q. Which company?—A. The Missouri Pacific Railroad Company.

Q. Can citizens of one county in this State act as deputy sheriff in another county?—A. Yes, sir; if they have not been in the county fifteen minutes.

EDWARD SMITH sworn and examined.

By Mr. PARKER:

Question. Are you an engineer?—Answer. Yes, sir.

Q. Of what engine?—A. Of engine 54.

Q. Had you charge of that engine in March and April last?—A. Yes, sir.

Q. On March 31 you may tell what occurred.—A. She was thrown upon the yard and killed by the strikers.

Q. At what place?—A. In this yard at Fort Worth.

Q. Do you know who those strikers were?—A. No, sir.

Q. What was the result; did they run her back?—A. She was taken back.

Q. Did you try to take her out again?—A. Yes, sir.

Q. How soon?—A. On the 3d of April.

Q. And what occurred then?—A. I got about 2 miles down and had to come back.

Q. Why had you to come back?—A. The switch was thrown and the strikers killed an officer, and I had to bring him back to town.

Q. Was that the time the last witness testified about?—A. Yes, sir.

Q. You had charge at the time when Townsend was killed?—A. Yes, sir.

Q. Who fired first in that affray?—A. I cannot say, sir.

Q. Have you heard the statement of the last witness?—A. I did not hear the whole of his testimony; I heard part of it.

Q. Go on and describe the circumstances briefly as to the shooting.—A. When I got to the crossing the switch was thrown and we had to stop at the switch. Mr. Courtwright arrested four or five men there. My attention was drawn off for a minute in attending to the switch, and at the time the shooting commenced. I eventually got the men that were shot on the train.

Q. After the shooting what did the men who were shooting at you do?—A. They retreated.

Q. Which way did they go?—A. They went east.

Q. Did they shoot several times?—A. Yes, sir.

Q. How many shots were fired?—A. About seventy-five.

Q. On one side?—A. On both sides.

Q. Had your party rifles?—A. No, sir; only revolvers.

Q. What had the other party?—A. Winchesters, I believe.

Q. How many shots came from those having the Winchesters, do you think?—A. I cannot say; there were a great many.

Q. What did you see yourself of the fight?—A. I saw a good deal of shooting going on.

Q. How much of that did you see yourself?—A. I saw pretty nearly all of it.

Q. You saw the first volley they fired?—A. No, sir; I did not see it.

Q. After that what did you see?—A. After that I saw them shoot.

Q. How were they—standing up or under cover?—A. They were under cover, and lying on the ground.

Q. Anything before them?—A. No, sir.

Q. Why did you not see the first shooting?—A. I whistled four times to call the brakemen to throw the switch, and at that time, looking back, my head was turned, and then the shooting commenced.

CORT E. NICEWARNER sworn and examined.

By Mr. BUCHANAN:

Question. Are you a fireman on the Missouri Pacific road?—Answer. Yes, sir.

Q. Were you called to go north on engine 54 on the 31st of March last?—A. Yes, sir; I was called to go to Hodge.

Q. What happened to the engine?—A. It was killed in the yard.

Q. Were you called after that to go south, about the 3d of April?—A. Yes, sir.

Q. Did anything happen during that trip; if so, what?—A. We started out and got to New Orleans Junction and were stopped there by the switch being turned and by a shooting affray.

Q. What was that shooting affray?—A. Well, there were several men on the east of the track with Winchester guns.

Q. Standing up or lying down?—A. Sitting, about three or four of them, that I first saw; but all lying down when the firing was done.

Q. Just tell us what was said and done?—A. I saw that the switch was turned, and the train was stopped. The officers got off and went in front of the engine and arrested four parties that were standing on the New Orleans track, and then struck out in front of the engine across the track, and Mr. Courtwright said something to the parties on the east side, something about throwing up their hands or not to shoot, or something of that kind, and the firing commenced. The answer they gave was to shoot.

Q. Who shot first?—A. I do not know him personally.

Q. Which fired first?—A. The men on the east side of the track; the men who had guns. Strikers and the men on the east side of the track.

Q. Have you told any one that Mr. Courtwright fired first?—A. No, sir; I have not.

WILLIAM REA sworn and examined.

By Mr. OUTHWAITE:

Question. What official position have you held during the last six months?—Answer. I am city marshal of Fort Worth and *ex officio* chief of police.

Q. Were you present at any of these disturbances in the yards of the railroads here in this city?—A. Yes, sir; I was.

Q. What disturbances did you see?—A. Well, some attempts were made to take out trains, and they would pull the pins and cut the trains in two, and we could not get them out. This was done once or twice.

Q. Who did these things?—A. The strikers.

Q. How long have you lived in this city?—A. I have lived in the city nine years; in the county, twenty-seven.

Q. Are you personally acquainted with any number of the employes?—A. Well, sir, I know most of their faces, but very few of their names.

Q. What cause, if any, did you hear them give for going out on the strike?—A. I was absent from the city at the time the strike commenced, and came home about the 20th of March.

Q. You may give any other difficulty or difficulties or disturbances which you saw resulting from the strike.—A. Well, about all I saw was the disturbance in the yard there. I was not on the train where the shooting was.

Q. You may state to the committee what is the general official jurisdiction of marshals and police officers in this city.—A. The statute of the State gives the marshal and his deputies the same jurisdiction in criminal matters as it does the sheriff—to the full limit of the county.

Q. To make arrests in the county?—A. Yes, sir.

Q. You appointed the deputies that were on the train the day of the shooting out here at the crossing?—A. Well, most of them that were on the train were sworn in by the mayor of the city.

Q. Were they under your direction and supervision?—A. Yes, sir.

Q. Were those who testified here your deputies?—A. Yes, sir.

WALTER T. MADDOX sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Fort Worth.

Q. What is your occupation?—A. I am sheriff of the county.

Q. Were you sheriff of the county on the 31st of March last?—A. Yes, sir.

Q. Were you called upon by the railroad authorities on that day; and, if so, for what purpose?—A. To move out a train.

Q. Tell what you did?—A. I went down in the afternoon on the 31st to take out a train, and we did not succeed in doing it.

Q. Why not?—A. The strikers took it from us and cut it up by drawing the pins.

Q. Who went out?—A. Myself and deputies, Mr. Rea and a portion of the police.

Q. How many strikers were there there?—A. Between three and five hundred men.

Q. What did they do?—A. When the train was moving through the yards they were on top of it like so many squirrels; they put on brakes and stopped the train and commenced pulling the pins.

Q. Did they attempt to do anything with the engine?—A. They attempted to kill the engine.

Q. Were they prevented?—A. Yes, sir.

Q. How?—A. By the officers drawing their guns and holding them off.

Q. You saved the engine by leveling your guns upon those who attempted to interfere with it?—A. Yes, sir.

Q. Did you talk at any time with any of those strikers about the cause of their strike?—A. Yes, sir; I have with some.

Q. What did they say was the cause?—A. They gave different reasons. I talked with Mr. Lovin, and he claimed it was on account of the discharge of Hall.

Q. Did he make any other claim?—A. He claimed that it was on account of Chinese and convict labor. These were the three principal causes he stated.

Q. What causes were alleged by others?—A. I do not remember. I did not talk with many of them.

Q. Were those three causes all alleged in the same conversation?—A. No, sir.

Q. What happened on April 1?—A. We attempted to run out a train on April 1.

Q. Did you do it?—A. No, sir.

Q. Why not?—A. The train was on the yard. It was made up that morning. The United States deputy marshal said he would hold the train till we got our force to take the train out, and soon after he pulled up the engine and hooked it on to the train. The strikers took possession of it and pulled the pins and tried to kill the engine.

Q. Did they kill the engine?—A. No, sir.

Q. Why not?—A. We presented our guns to them and held them off.

Q. In what condition were those men that day?—A. A great many of them in a drunken condition.

Q. Were they boisterous or peaceable?—A. Boisterous; very much so.

Q. Were any pistols drawn that day?—A. I saw attempts made to draw pistols. One man attempted to draw a pistol; he was a Knight of Labor. His name was E. P. Blakeley; he claimed that he was a Knight of Labor.

Q. Was he arrested?—A. Yes, sir.

Q. How did he succeed in his attempt to draw the pistol?—A. I think he would have drawn it, but his suspender caught the guard, and he could not pull it out.

Q. What did you do?—A. I told him that I would shoot him if he attempted to get his pistol out.

Q. Did he let it remain?—A. He had it in his breast pocket, and he took his hand off.

Q. Did you see any other man make a movement of a similar character?—A. Yes; fifty or more had their hands in their breast and hip pockets; but they did not draw.

Q. What did they say to you?—A. A number of them told me they would "kill me" or "carve me into pieces," or "shoot me into pieces, so that my wife would not recognize me, if there was a drop of blood drawn."

Q. When Blakeley was arrested, was there a pistol in his pocket?—A. Yes, sir.

Q. What is the law of Texas in reference to carrying concealed weapons?—A. The fine is not less than twenty-five nor more than a hundred dollars.

Q. When did you first obtain control of the yard and track of the company?—A. The evening, I believe, after we got out the writs of injunction I went down and got charge of the yard.

Q. These writs were against the strikers?—A. There were about a hundred of them issued. I only served about forty or fifty.

Q. Was any effort made to run a train after that day?—A. No effort was made that day.

Q. Had you any conversation with N. M. Lovin that day?—A. Yes, sir.

Q. What position does he hold?—A. He claims to be master workman of Assembly 101 of the Knights of Labor.

Q. What did you say to him about trying to control his men?—A. I told him if he was a leader he ought to control his men. He said he did not propose to do it; and I told him if I was a leader of such a gang I would resign at once; and he claimed that labor was being made slaves of, and said that if we wanted to fight they were as well prepared for it then as they ever would be.

Q. Did he say anything about being made slaves as long as they could stand and fight?—A. They were as well prepared to-day as they would be.

Q. What reply did you give him?—A. I told him I did not think he would shoulder a musket, but that he would stand in the background as he had in this strike.

Q. You took possession of the yard on the 3d of April?—A. We took possession on the 2d of April.

Q. Had you any further conversation with Mr. Lovin about the men giving you any trouble?—A. I do not remember; I may have had; but that is the substance of about all the conversation I had with him.

Q. After these injunction writs were served was there an officer in charge of the yard?—A. No, sir.

Q. Was the city marshal sent out to Hodge?—A. Yes, sir. I was in charge then and the city marshal said he would take his force if I would still hold the yard.

Q. Did you receive any information that the train had been attacked?—A. Yes, sir. I was not present.

Q. Did you receive word that the train had been attacked and that an officer had been killed?—A. Yes, I did. I came up at once with a posse and got them armed and went back to the tip.

Q. Had you any other trouble after that?—A. No, sir; I had no further trouble.

Q. Have you received any threatening letters?—A. Yes, sir; I received several; I have none of them with me.

Q. Give us substantially the threats that were contained in them?—A. I do not know that I can remember any particular one. Mrs. Egan, the wife of one of the Knights, was present and said that a man named Murray had stated that he had seen the hand-writing a thousand times. Mrs. Egan, I am satisfied, was right about it from the conversation I had with her. The day after she wrote me that this man Murray stated that he was one of the leaders in this difficulty here, and he first started trouble at Denison and had gone from Denison to Alvarado and back to Fort Worth, and was one of the most active leaders in that difficulty. Murray has been ever since at Denison. She went on to tell me that I was in danger and I had better be cautious, &c.

Q. Was any mention made of the red flag?—A. She said that it was a warning that there was trouble, and I ought to take warning from it.

Q. Do you know the lady who guarded the road that day?—A. She is the lady that guarded it, Mrs. Egan that showed the red flag.

Q. Do you know whether she sustains any relation to any organization whatever?—A. I have heard that she was secretary of one of the lodges.

Q. Of Odd Fellows, Masons, or Knights of Labor?—A. Of Knights of Labor. One who knew her handwriting, a prominent citizen, told me that it was hers.

Q. (By Mr. BUCHANAN.) In this conversation with Mr. Lovin did he not also say that another cause of the strike was that they wanted the pay of unskilled labor raised to a dollar and fifty cents a day?—A. I do not remember. He had a long conversation with me in my office in reference to the matter.

Q. This question is handed to me to ask you: Was Blakely a Mason, or an Odd Fellow, or member of any other order that you know of?—A. Not that I know of.

Q. (By Mr. OUTHWAITE.) How soon after the strike began had you this conversation with this Knight of Labor who gave you the cause of it?—A. Mr. Lovin? It had been some time; perhaps ten or fifteen days, and may be not so long. I do not remember just exactly.

Q. (By Mr. PARKER.) What Murray was this that you spoke of?—A. I do not know his given name. I never heard his name mentioned here except as Murray.

Q. Was it Michael Murray?—A. I do not remember, sir.

Q. Do you know whether he was master workman and one of the leaders at Denison?—A. I never heard of him until his name was mentioned in that letter.

Q. Or whether he was a coppersmith?—A. I do not know what his occupation is.

NATHAN A. STEDMAN sworn and examined.

By the CHAEMAN:

Question. Do you live at Fort Worth?—Answer. Yes, sir.

Q. How long have you lived there?—A. Three years.

Q. What was your occupation when the strike broke out?—A. A lawyer.

Q. Were you summoned by the sheriff at any time during the continuance of this strike to assist in making arrests and prevent depredations?—A. Yes, sir; I was summoned by the sheriff on two different occasions.

Q. State what transpired.—A. The first time I was summoned the sheriff had a large number of men, and there was no organization among the officers. The officers were summoned for the purpose of assisting the movement of a train on the Missouri Pacific Railway. I was not on the ground at the time of the difficulty that Mr. Maddox has testified to as between himself and Mr. Blakeley, but it was reported that pins had been drawn from the cars and they could not move the train, and I came back to town. The next time I went down was when a report was circulated in town that officers had been killed; that a train had been fired upon by the strikers and one of the deputies killed and two wounded. I met Mr. Maddox or one of his deputies. He informed me that he wanted me to act again, and I obeyed this summons and acted for a day or two afterwards.

Q. Did any other citizens go with you?—A. I suppose he summoned seventy-five men in the crowd that I went with.

Q. Did you meet with any opposition?—A. None whatever.

Q. Had not the sheriff and his posse been on guard at the depot would there have been any trouble, in your judgment?—A. That is my opinion about it.

Q. Who were the parties that were giving trouble?—A. They were strikers. At least that is my information, and the current rumor was that they were Knights of Labor. I do not know that of my own knowledge.

NATHAN M. LOVIN sworn and examined.

By the CHAIRMAN:

Question. Do you reside at Fort Worth?—Answer. Yes, sir.

Q. How long have you resided here?—A. About four years.

Q. Are you a Knight of Labor?—A. I am.

Q. What is the name of the master workman of this local assembly?—A. Well, sir, there are five or six local assemblies here; I am master workman of one of them.

Q. Who are the master workmen of the other assemblies?—A. I do not believe, sir, that I can answer your question.

The CHAIRMAN. Is it against your rules to give the names of another member of your order?

Mr. PARKER. I insist on the question being asked. I do not know that the law gives any exemption from his answering the question, and I want it to appear distinctly in his testimony either that he answered or refused to answer.

Q. (To witness.) Why cannot you answer the question?—A. It is contrary to the rules of the order.

Q. Do you decline to answer?—A. I prefer not to.

Q. Are you sworn not to tell or is it just a rule of the order?—A. Well, sir, it is part of our law not to give the name of a brother member.

Q. Who is the secretary of your local assembly?—A. That comes under the same rule.

An executive session was here held, and at its close the examination of the witness continued.

By the CHAIRMAN:

Q. Then I understand you to say, Mr. Lovin, that you decline to give the name of the secretary of your local assembly because you say it is contrary to the rules of your order?—A. That is what I stated, that is was contrary to the rules of the order to which I belonged.

Q. You decline to give the name?—A. Yes, sir.

Q. Because you say it is contrary to the rules of your order to disclose the name of a brother member?—A. It is contrary to the rules to disclose the name of a brother of the order without his permission.

The CHAIRMAN. We will excuse you.

Q. Are you a member of the executive committee of which Martin Irons is chairman?—A. I was up to January, but not since then.

Q. You stated that you were master workman. Are you master workman of a district or local assembly?—A. I am district master workman of District Assembly No. 101.

Q. Is that the assembly which ordered this strike?—A. Yes, sir.

Q. What part did you take in ordering this strike?—A. I did not take any; it was done by the executive board.

Q. Were you a member of the board?—A. I was not.

Q. What was the cause of the strike?—A. There were various causes.

Q. Do you keep a record of the proceedings of your assembly?—A. I keep a file.

Q. Where can be found the proposition upon which the local assemblies voted before this strike was ordered?—A. The proposition in regard to this strike that you speak of now?

Q. Where can be found the proposition in writing upon which local assemblies voted before this strike was ordered?—A. Well, sir, I expect that the secretary of each local assembly has it on file in his office. The secretary keeps all the written matter presented to the different locals, and in the district assembly the recording secretary has possession of all those documents.

Q. Is it the duty of the secretary to keep this record?—A. Yes, sir.

Q. And to keep on file all papers that come officially to the assembly?—A. Yes, sir.

Q. Then I presume the Secretary of your local assembly here has that proposition?—

A. Well, sir, I could not be positive; I was not here at the time that proposition came.

Q. He ought to have it?—A. Yes, sir.

Q. And he ought to have the order issued by the district executive board for the strike?—A. No, sir. The order came by telegram to the chairman of the local executive committee.

Q. Are you that chairman?—A. No, sir. I belong to that executive committee, and I received the telegram at the office myself.

Q. Where is that telegram?—A. I think the chairman of the board had it. A day or two afterwards he had it in his possession; he said, "We have no use for this now," or something like that; I do not know exactly what he did say, and I think he tore it up.

Q. Was it in cipher?—A. Yes, sir.

Q. At what telegraph office was it received?—A. At the Western Union office at the depot.

Q. You say it was destroyed?—A. I think it is. He said he was going to destroy it.

Q. What were the contents of it?—A. In English it was: "Strike on the 1st at 3 o'clock sharp."

Q. First of what?—A. First of March.

Q. (By Mr. OUTHWAITE.) Who was it signed by?—A. Signed by Martin Irons.

Q. (By the CHAIRMAN.) Was there any subsequent order in writing confirming that telegram?—A. Not that I know of. If so, I did not see it.

Q. The strike took place, then, upon this telegraphic order and upon nothing else?—

A. Yes, sir. Of course there had been arrangements previous to that.

Q. You anticipated its arrival?—A. Yes, sir.

Q. Was that the only written communication which you received upon the subject of the strike?—A. Yes, sir.

Q. How many propositions had your local assembly voted on before the strike was ordered?—A. Three, I believe; I was not present at the time they voted upon them. I suppose they voted upon these.

Q. You were not present at the time when any of them were voted upon?—A. No, sir; I was not.

Q. Were the three propositions voted upon at the same time?—A. No, sir; they were not.

Q. How long before the telegraphic order arrived was it that you voted upon the last proposition?—A. I suppose some ten days or two weeks; may be not that long.

Q. What was that last proposition?—A. Well, sir, I think it was to know whether the local assembly would sustain the executive board.

Q. Upon what proposition or in regard to what?—A. That last proposition was in regard to C. A. Hall.

Q. By C. A. Hall I presume you mean the man who was discharged by the Texas and Pacific Railroad Company?—A. Yes, sir.

Q. Where was the dispatch signed by Martin Irons dated?—A. It was dated at Marshall.

Q. Do you remember the date of it?—A. It was on the 1st day of March.

Q. When did you strike?—A. At this point we struck on the 1st. I did not get the dispatch until after 5 o'clock; I think the whistle blew about 5.30.

Q. First examine that. [Presenting to witness a copy of letter of C. A. Hall to grievance committee of L. A. 4059, dated Marshall, Tex., February 17, 1886, informing committee that he had been discharged; report of said grievance committee as to Hall's discharge, and stating that a demand had been made for Hall's reinstatement before February 25; signed by Robert Hanson, George Bibb, W. R. Dearing; a proposition signed by Martin Irons, chairman of the executive board of Marshall, Tex., asking assemblies if they would sustain their executive board in demanding a reinstatement of Hall]. See if that is a correct copy of the proceedings had by the Knights of Labor in connection with the subject-matter. I will state that this was handed to me by Mr. Charles H. Litchman, who is representing the Knights of Labor in this investigation.

The WITNESS. I will state to the committee I was present when this top letter [indicating letter of Hall], was read to this local assembly. I was also present at a conversation between Mr. Crosby and Mr. Hall agreeing that he might be absent. I heard the whole conversation. I was also present when the local executive board made their report to the executive board of the district assembly. This is correct.

The CHAIRMAN (addressing Mr. Litchman). You have no objection to my putting this in?

Mr. LITCHMAN. No, sir.

The WITNESS. I was a party present when this conversation between Mr. Crosby and Mr. Hall took place, and I was present when the letter was handed in, though I did not act officially.

(The originals, bearing the seal of the order, being introduced at a subsequent point of witness's testimony, the copy presented is not inserted here, and a transcript of the originals will be found at the point in the testimony of the succeeding day where introduced.—STENOGRAPHER.)

Q. Were you present when the local assembly to which you belonged voted upon that question of Martin Irons?—A. No, sir, I was not.

Q. Do you know whether the vote was in the affirmative or in the negative?—A. Well, I am not, and would not be positive, but I think it was in the affirmative. I did not see the letter that was addressed to the chairman of the executive board.

Q. I suppose that as a member of your order you knew what the action was?—A. I am pretty confident, although I do not recollect that I ever asked the question of him, but I am pretty confident it was in the affirmative.

Q. It requires a majority of the local assemblies to authorize a strike, does it not?—A. Yes, sir.

Q. You said that the recitals in the paper are correct?—A. Yes, sir. The conversation is not expressed fully.

Q. That is the substance of it?—A. Yes, sir.

Q. Was any application made, to your knowledge, either to the officials of the railroad or to Mr. Crosby, for the reinstatement of Hall?—A. That is only hearsay with me. I cannot say positively that it was; only I was informed that it was.

Q. (By Mr. OUTHWAITE.) Do you know how Hall happened to forget that you were present when that conversation with Mr. Crosby occurred, and did not know that he could prove it by you and Brother Thorburn?—A. He came up and said that he did not know anything about who was present or anything about it. He said that he recollected that Thorburn was there and one or two were present, but he did not know who they were.

Q. You were, perhaps, not well acquainted with him during that time?—A. We were well acquainted, but it was Sunday morning, and there were quite a number of us along, and he did not know who happened to be present when he had this conversation, and the delegates were fast arriving at the time.

Q. Had you any preconcerted signal which was arranged before to be used when the time for the strike came?—A. That is, when the strike should be ordered? Well, we have our telegraphic communication, which is in cipher, and that was the only preconcerted plan in regard to that.

Q. (By the CHAIRMAN.) That request of Martin Irons's is uncertain in this, that it does not give the name of the brother. What brother was intended?—A. I think Brother Hall's name was on that.

Q. His complaint is there, as well as the report of the grievance committee, and I suppose he means Brother Hall?—A. I think his name was on there.

Q. Under your rules I presume that a similar copy of the telegram sent to your local assembly would be sent to every local assembly in the district presided over by Martin Irons?—A. I think to every local assembly in the district.

Q. Is that the way in which business of that character is transacted?—A. That is the law of our district assembly.

Q. I understood you to say in the beginning of your testimony that all communications should be filed and kept as a part of the record by the Secretary. Is that correct?—A. Yes, sir.

Q. Then the original is doubtless in the hands of the Secretary?—A. Yes, sir. I suppose he will be before you as a witness.

The CHAIRMAN. You will not give me his name.

The WITNESS. I have a great deal of documentary evidence that I expect to put in, and I did not expect to be called on to testify this evening.

Q. (By Mr. PARKER.) Was it not required that Hall should be reinstated on or before February 25, 1886?—A. That is the way it was understood.

Q. Was he so reinstated?—A. No.

Q. Did the strike follow that failure to reinstate him?—A. It followed, but not on the 25th of February.

Q. When did it follow?—A. On the 1st of March afterwards.

Q. (By the CHAIRMAN.) Is there any regulation prescribing the number of days that shall elapse before a strike is ordered after a refusal to comply with a demand?—A. None that I know of.

Q. Is there any regulation providing for the number of days that shall elapse after a request of this kind is made and the vote is taken before the strike is ordered?—A. No, sir. This is to authorize and empower the executive board to act and use all their best efforts to arbitrate and settle it peaceably. And they are able to order a strike if they do not succeed in arbitrating.

Q. (By Mr. BUCHANAN.) You say three propositions were sent to the assemblies and acted upon. Can you produce them?—A. I cannot myself, but I think I can do so tomorrow.

OSCAR M. BONNER sworn and examined.

By the CHAIRMAN:

Question. How old are you?—Answer. Thirty years old.

Q. Where do you reside?—A. At Denison at the present time.

Q. What is your occupation?—A. I am a brakeman and extra conductor on the Missouri Pacific road.

Q. How long have you been in that employment?—A. I have worked for this road about a year and a half.

Q. In the same position?—A. As a brakeman.

Q. Were you called to go out on the extra train on April 3?—A. Yes, sir.

Q. Where was that train going?—A. To Alvarado.

Q. Where did it start from?—A. It started from Fort Worth, went to Hodge and got a train of coal, and started south.

Q. Did you find anything wrong about the railroad track after you had left Fort Worth?—A. I found the switch thrown round two miles south of Fort Worth.

Q. Did you see any men sitting round there?—A. Yes, sir.

Q. Had you any officers aboard?—A. Yes, sir.

Q. Did the officers do anything with the men?—A. Yes, sir; they got off the train and stepped up to four men that were on the road on the right-hand side of the track; and there were six men on the left-hand side, five of which had guns and the other a revolver. The officers put the four men under arrest and then proceeded to arrest the other men.

Q. Then shooting began?—A. Yes, sir.

Q. From which side?—A. From the officers' side first.

Q. And the other side returned fire?—A. Yes, sir.

Q. What caused the officers to shoot?—A. I do not know.

Q. Whom did they shoot at?—A. These six men that were on the prairie.

Q. Was there any damage?—A. A great many shots were exchanged before any one fell.

Q. Did any one fall?—A. The men on the prairie either fell down or laid down. Four fell.

Q. Can you tell whether the men on the prairie fell or laid down?—A. It would be very hard to tell. They might have laid down or they might have been wounded.

Q. Did you go to the place to find out?—A. I did not go to the place.

Q. Who were these men?—A. I do not know.

Q. (By Mr. OUTHWAITE.) What was your official position on that train?—A. Acting as brakeman.

Q. (By Mr. PARKER.) Are you a Knight of Labor?—A. No, sir.

Q. Were you then?—A. No, sir.

Q. Where did you stand when the firing began?—A. I was leaning out of the cupalo of the caboose.

Q. Looking toward whom?—A. Looking at the fight.

Q. At the men when it began?—A. When the fight began; yes, sir.

Q. Just before it began where were you?—A. In the same position.

Q. How many minutes had you been there before it began?—A. It was not over two or three minutes from the time we stopped. It was a very short time.

Q. How far were the men on the prairie from you?—A. About one hundred and fifty yards, as far as I can guess.

Q. Were they standing or lying down when the firing began?—A. When I first saw them they were kneeling, but when I saw the firing they were on their feet.

Q. In what attitude were the men that were kneeling?—A. Kneeling down on one knee, a couple of them, and the others just squatted, with the guns across their laps.

Q. Just kneeling; how were their guns?—A. In their hands.

Q. Pointing which way?—A. Off in that way. [Indicating.]

Q. They were not pointing the guns?—A. Just in that direction. [Indicating].

Q. Now tell us the steps after the arrests of the men by the switch until the firing began. Give us each little circumstance.—A. They arrested these men on the right side of the track, put a guard over them, and just as quick as they could, got over. I saw three or four run round the front of the engine, and get down on the other side of the train. The firing commenced almost as soon as they got over.

Q. Did you see the men take a shot?—A. I saw the first shot.

Q. Were you looking at the men near the train or the men on the prairie?—A. I was looking at the whole of them. All of them were in plain sight.

Q. They were not all in the same direction?—A. Just opposite.

Q. One at your left and the other in front.—A. The party in front of the road, in front of me.

Q. They were fully in front of those in the prairie too; so that you could see both parties at once?—A. I could see them all.

Q. Who was the man who did the first shooting?—A. I do not know.

Q. Did you know all the officers there?—A. I did not.

Q. Did you know any of them?—A. I knew Tim Courtright by sight.

Q. Did he shoot first?—A. I cannot say.

Q. If you saw that they shot first cannot you tell us who shot?—A. That I cannot tell.

Q. Then you were not looking at those who did the first shooting?—A. I was looking at them all.

Q. Were you looking at the individual who fired the first shot when he shot?—A. I was looking at the officers but not at the individuals.

Q. Did the shooting not commence almost simultaneously on both sides?—A. Yes, sir.

Q. Broke out from both sides almost at one time?—A. I knew from the report which it came from.

Q. Was it not difficult to tell which fired the first shot?—A. I clearly understood which it was.

Q. Was it not so close that it was impossible to tell which fired the first shot?—A. No, sir.

JOHN CONLISS sworn and examined.

By the CHAIRMAN:

Question. What is your age and where do you live?—Answer. I live at Denison, and am twenty-seven.

Q. Were you called to go out on the extra train on April 3?—A. Yes, sir.

Q. From Fort Worth towards where?—A. South.

Q. Did anything unusual happen when you got outside of Fort Worth?—A. Yes, sir. About two miles outside of town there was a switch wrong near the crossing of the Missouri and Pacific and the Fort Worth and New Orleans.

Q. Did you see any men standing there?—A. Yes, sir.

Q. How many?—A. There were four on the right-hand side of the track, and then on the left there were men on the prairie.

Q. How far were the four men from the track?—A. They were right on the New Orleans track.

Q. How far were the six men from the cars?—A. Exactly 100 yards.

Q. Were those men armed?—A. The six men were; yes, sir.

Q. The officers arrested the four men, did they?—A. Yes, sir.

Q. Were they armed?—A. No, sir; they did not have any arms.

Q. What were they doing?—A. I cannot tell.

Q. What did the officers do after they arrested these four men?—A. They left a man in charge of them, and three or four officers that got off on that side walked round on to the other side.

Q. Was any firing done?—A. Yes, sir.

Q. Much?—A. Yes, sir. There must have been a hundred shots, or more.

Q. Was any damage done?—A. Yes, sir; three officers were wounded and two strikers.

Q. How do you know they were strikers?—A. They were supposed to be strikers.

Q. Did you know them?—A. No, sir.

Q. How long did you hold the train there?—A. About ten minutes.

Q. How do you know that any of the other parties were wounded?—A. I saw one of them that was wounded. I was looking at him when he was wounded.

Q. Where was he struck?—A. In the right arm; right about the middle of the arm. His arm dropped down by his side, his gun fell to the ground, and he staggered three or four steps and then braced himself up. He was the only one trying to shoot at that time, and when he did he shot this man Sneed in the face. He shot after he was hit in the arm.

Q. Was it a gun or pistol?—A. A Winchester rifle.

Q. What was done with this wounded man among the strikers?—A. I cannot say.

Q. Did the officers not go after them?—A. No, sir.

Q. What made the firing cease?—A. Some of the officers ran out of ammunition, and they did not shoot any more.

Q. Whether the others stopped from the same cause you do not know, do you?—A. The others were walking off. They were walking off the last I saw of them.

Q. Who shot first?—A. I do not know.

Q. What was done with the wounded officers?—A. They were brought back to Fort Worth.

Q. You did not make that trip?—A. No, sir; I went in.

Q. Did you start out again?—A. No, sir.

Q. What part of the train were you on?—A. I was in the caboose.

Q. The caboose was right behind the locomotive?—A. Yes, sir.

ANDERSON C. BRANNON sworn and examined.

By Mr. OUTHWAITE:

Question. Were you an officer on the train that was mentioned by the last witness?—Answer. Yes, sir.

Q. What do you know as to who commenced shooting at that time?—A. The parties that were in the prairie. The six men that were in the prairie did the first firing.

RICHARD KITTS sworn and examined.

By the CHAIRMAN:

Question. Do you know anything about this shooting?—Answer. Yes, sir, I was out there.

Q. What was the cause of your being there?—A. I was ordered out there by Mr. Garrett.

Q. Who was Mr. Garrett?—A. There he sits, sir.

Q. What position did he fill?—A. I do not know what kind of office he has.

Q. Was he a deputy sheriff?—A. Yes, sir; I think so.

Q. Who fired the first shot in that shooting affair?—A. The strikers, they call them; I do not know who they were.

Q. Were you in a position to see?—A. Yes, sir; I was.

Q. Where were you?—A. About six cars back from the engine.

Q. On the ground?—A. I was in between two coal cars.

Q. Were you engaged in the shooting yourself?—A. Yes, sir; I was.

Q. As one of the officers?—A. Yes, sir.

Q. Your statement is that the other party fired first and the officers returned the fire?—A. Yes, sir.

The committee then adjourned until the following morning, at 8 o'clock.

FRIDAY, May 7, 1886.

The committee met in the room rented for the purpose, at 8 o'clock, and proceeded to take testimony.

JOHN C. BROWN sworn and examined.

By the CHAIRMAN:

Question. Governor, what position do you hold in the Texas and Pacific Railway Company?—Answer. I am one of the receivers ordered by the United States circuit court.

Q. When were you appointed?—A. On the 16th of December last.

Q. Who is the other receiver?—A. Governor Lionel A. Sheldon.

Q. Have you entire charge of the business of the company?—A. Yes, sir.

Q. I have before me a letter, with accompanying documents, the letter being signed by you, in which you give, first, a statement of the railroad property, and then a general statement in the shape of an affidavit, or rather answers, to questions propounded by the special commissioner appointed by the circuit judge to investigate these labor troubles. I wish you would examine them and see if they are authentic.—A. (After inspection of papers.) Yes, sir; these are the original papers which I filed with the committee; probably my name is not signed to the deposition, which is an impression copy.

The CHAIRMAN. The committee have determined to put these in evidence as part of your testimony, so as to save time. They seem to contain a very full and exhaustive statement of the entire subject-matter, and we will have them read.

The papers were read, as follows:

[The Texas and Pacific Railway, John C. Brown and Lionel A. Sheldon, receivers.]

OFFICE OF RECEIVERS,
Dallas, Tex., May 5, 1886.

GENTLEMEN: The Texas and Pacific Railway, with all of its property, on the 16th day of December, 1885, was placed in the hands of myself and Hon. Lionel A. Sheldon, as receivers, appointed by his honor Don A. Pardee, holding court at New Orleans for the eastern district of Louisiana. A copy of the order making said appointment and defining the duties of the receivers is hereto appended, marked "A."

By a proceeding taken in said court on the 9th day of January, 1886, when some adverse interests were heard and disposed of, the former appointment of receivers was confirmed and ratified.

The property thus placed in the hands of the receivers extends from New Orleans, in the State of Louisiana, to El Paso, on the western border of Texas, is correctly delineated on a map* hereto annexed, marked "B," the total mileage being 1,487. The prin-

* The map is omitted from record.

cial machine-shops are located at Marshall, Tex., with other shops at Gouldsborough, La., and Big Springs, Tex., and smaller repair-shops at Longview, Fort Worth, Baird, and Bonham, in the State of Texas, and at Boyce, in the State of Louisiana, the smaller repair-shops being in the roundhouses at division terminals.

At these various shops and roundhouses there were employed about 615 men. There were altogether upon the pay-rolls of the receivers about 4,013 men, with a monthly pay-roll of \$216,822.65. They had in service, in and out of repair, 166 locomotives, 85 passenger coaches, 23 baggage, mail, and express cars, 1,166 box cars, 961 flat and coal cars, 558 stock cars, 125 caboose cars, besides a number of working, boarding, and wrecking cars. On the line of the road there are 239 stations and 2,897 bridges and culverts.

The receivers found the rolling-stock in bad condition, and more than 20 per cent. of the motive power unserviceable; the track itself needed many thousand tons of steel rails, there being only 400 miles of steel track altogether, and badly needed five or six hundred thousand new ties.

The regular force under the charge of the superintendent of bridges and buildings, which is included in the number on the pay-rolls above stated, including foremen of gangs, is about 329. There are 169 section-houses and as many section-gangs, aggregating, including foremen, about 1,300 men.

We were illly prepared for a strike, and would have conceded any reasonable demand, short of the right to control the road and its force, rather than encounter the evils of a strike, especially considering the condition of the properties and the need it had of all possible earnings. No grievances were at any time presented to the receivers, directly or indirectly. The only demand made was that we should sign a paper containing seven distinct articles of arbitration, which the receivers believed would virtually relegate their authority to the Knights of Labor, and it was refused. This I believe to have been the real cause of the strike which occurred on the 1st day of March last.

My deposition was taken by Capt. C. E. Henry, who was appointed special master by his honor the circuit judge, and ordered to travel over the line and take proof as to the causes and origin of the strike and the incidents thereof; and, as but few of the incidents of the strike came under my personal observation, and my information is derived almost entirely from correspondence with subordinate officers, I could state but little as having occurred under my personal observation. A copy of that deposition is herewith submitted, marked "C."

The depositions of A. A. Egbert, general superintendent for the receivers; George Noble, general agent for the receivers; Mr. Watts, master mechanic of the shops, having his office at Marshall; Mr. Dempsey, foreman of the roundhouse at the time of the strike; Mr. Anderson, train-master at Fort Worth; Mr. Harris, station-master at Fort Worth, and General W. L. Cabell, United States marshal for the northern district of Texas, were also taken by said special master and copies of their depositions are also filed for more minute details connected with the strike. The other proof taken by the commissioner, as well as his report, I have obtained permission of his honor, Judge Pardee, to have copied and also submit herewith for your information.

Since the depositions referred to above were taken, I have asked Col. Geo. Noble, general agent of the receivers, to furnish me a statement of facts in addition, to some extent, to what he stated in his deposition, and I submit his communication herewith marked "D."

I have also asked J. G. Harris, freight agent at Fort Worth, and T. W. Anderson, train-master at the same point, to furnish me a statement of facts, to which I herewith refer, marked "E" and "F."*

I beg further to state that, having seen in the public prints that Mr. Powderly stated that the employes of the Texas and Pacific Railway had been badly dealt with by that company in matters pertaining to the purchase of lands and town lots by said employes, and especially that many of them, who were purchasers of the real estate of the company, after paying largely upon it, had their purchases canceled or foreclosed under liens, and were now occupying said premises as tenants under the company, as their landlord, I have asked W. H. Abrams, esq., who has been the land commissioner of the Texas and Pacific Railway Company, and who has had exclusive control of the sale of lands and town lots belonging to said company since 1873, to make a statement; and his statement is hereto appended marked "G."*

I beg further to state that, appended to the articles which the receivers were asked to sign by the committee of which Mr. Moore was chairman, was a copy of what purports to be the "Hayes agreement;" that is to say, the settlement made by Governor Martin, of Kansas, and Governor Marmaduke, of Missouri, in March, 1885, and that a copy of that paper is hereto appended, marked "H."*

* Exhibits D, E, and F were not made part of the record in this connection. Exhibit G was made a part of Mr. Abrams's own testimony, and Exhibit H is already in the record as part of Mr. Powderly's testimony.

The attendance of any one or all of these parties can be easily procured if the committee should desire to examine them *de novo* or propound further interrogatories to them. The depositions, also, of the train-masters, train-dispatchers, masters of transportation, superintendent of bridges and buildings, and any other parties in the employ of the company, can be secured easily and with little delay; and, upon an intimation from the committee of their desire to have any one or more of these persons, we will take great pleasure in expediting their appearance before the committee at such time and place as may be indicated; and in all other respects will the wishes of the committee be respected in matters of transportation or securing the attendance of other witnesses.

I have the honor to be, very respectfully, your obedient servant,

JNO. C. BROWN,

Receiver.

Hon. W. H. CRAIN,

Chairman of Committee.

"A."

[Order No. 1. Order of the court appointing receivers and defining their duties and powers. The Missouri Pacific Railway Company vs. The Texas and Pacific Railway Company. In the Circuit Court of the United States, eastern district of Louisiana. In Equity, No. 11,181.]

Now, on this 16th day of December, 1885, comes on to be heard, upon the bill and exhibits of the complainant, and upon the answer of the defendant, the application and prayer of the complainant, the Missouri Pacific Railway Company, in the above cause, for the appointment of a receiver to take into possession, custody, and control all the property, rights, and franchises, money, books, accounts, lands, and premises of every kind and description, of the said defendant company, or to which it has right, in Louisiana and Texas, and wherever situated, with power as therein prayed, and thereupon appeared the complainant and the defendant, by their solicitors, and also appeared Richard C. Dale, esq., of Philadelphia, Pa., solicitor representing the Fidelity Insurance, Trust and Safe Deposit Company, trustee of the several mortgages in the said bill mentioned, and Walter D. Denegre and Bayne & Denegre, for certain land-grant bondholders and others, represented by John R. Dos Passos, esq.

And the said application having been considered by the court, it is now ordered, adjudged, and decreed, as follows:

That the prayer of the said bill be granted, and that Lionel A. Sheldon and John C. Brown be, and are hereby, appointed joint receivers of all the said railroads of the defendant company, both in Louisiana and Texas, and of all the property of said company, with full power and instructions hereby to take possession, custody, and control of all the property, rights, and franchises, money, books, accounts, lands, and premises of every kind and description, of the said defendant company, or to which it has right, in Louisiana and in Texas, and wherever situated, and to manage, operate, and maintain the said lines of railroad of the said defendant company, with authority to employ such officers, agents, and employes and counsel as may be necessary to preserve and protect all the property of the defendant company, and keep it open as a public highway for the transportation and carriage of passengers and freight by steam power, as aforesaid, and for the proper performance of its business as a railway company and a common carrier; and to collect, as far as possible, all accounts, choses in action, and credits due to said company, acting in all things under the order of this court, or of such other courts as may entertain jurisdiction of parts of such property as ancillary to the jurisdiction of this court in this cause. The said receivers being appointed subject to the right of all parties in interest to suggest other appointees, or to show cause or make objection to the same before me on the 9th day of January, 1886, and to the orders which may then be made in the premises.

It is further ordered that the said receivers, out of the income that shall come into their hands from the operation of said railroad or otherwise, proceed to pay all balances due or to become due to other railroads or transportation companies on balances growing out of the exchange of traffic, accruing during six months prior thereto.

That said receivers also pay, in like manner, out of any incomes or other available revenue which may come into their hands, all just claims and accounts for labor, supplies, professional services, salaries of officers and employes that have been earned or have matured within six months before the making of this order; also, all taxes, State, county, or municipal, that may be or may become due on any of the property of said company; also the interest on the debt due the State of Texas as the same may become due.

It is further ordered that all parties, upon being informed of this order, proceed to surrender all the lines of said railroad, and all the property, choses in action, and accounts of said company to said receivers, who jointly and severally are authorized and directed to take possession of the same at once, and the complainant is authorized to apply to any other United States circuit court of competent jurisdiction, for such order or orders, in aid of the primary jurisdiction, vested in this court, in said cause, as may have ancillary jurisdiction herein.

And it is further ordered that said receivers pay all current expenses in the operation of said road, including just and proper claims for loss or damage to freight and baggage, and shall collect all the revenues thereof, and all choses in action, accounts, and credits due or to become due to the company.

That said company keep such accounts as may be necessary to show the source from which all such income and revenues shall be derived, with reference to the interest of all parties herein, and the expenditure by them made.

And it is further ordered that said receivers report to this court, from time to time, their doings under this decree, and that they apply for instructions to this court when necessary.

DON A. PARDEE,
Circuit Judge.

NEW ORLEANS, December 16, 1885.

"C."

Statement before commissioner.

Gov. JOHN C. BROWN, receiver of the Texas and Pacific Railway, being duly sworn, testified as follows:—

Question. Please state your official connection with the Texas and Pacific Railway and when you entered upon the discharge of your official duties?—Answer. I was appointed one of the receivers of the Texas and Pacific Railway, in this case, on the 16th of December, 1885, and have been in the active discharge of the duties appertaining thereto since that time.

Q. Please make a statement concerning the strike that occurred on said railway on or about the 1st of March last, the causes that led thereto, and the antecedent circumstances.—A. On Wednesday night, December 16, 1885, I telegraphed to all the officers and agents of the Texas and Pacific Railway Company, along the entire line, advising of the appointment of receivers and announcing that we had taken possession of the railway, rolling-stock, and all other property of the Texas and Pacific Railway Company, and had entered upon the control and management of its business, and notifying all agents and employes to report, thereafter, to the receivers. The court having expressed an anxiety that I should go immediately over the line and arrange to prevent, as far as possible, any hindrance of the business of the road, and especially to see that the wages due employes for November should be promptly paid, I left New Orleans, as I now remember, on the 18th of December and reached Marshall on the afternoon of the 19th, went into the machine shops, and was immediately met by a committee, who expressed a desire to know whether the receivers would recognize what they termed the "Hayes agreement" with the Knights of Labor. I replied that we did not recognize that agreement as binding upon the receivers. The former management has been superseded and we, as receivers, were officers of the United States circuit court, and were ordered to conduct the business of the road under the orders of that court. The committee then asked if we would reaffirm or ratify the "Hayes agreement." I replied that we could not do so, for the reasons above given, but assured them that the employes of the company should not be removed except for cause, and that we would in all respects treat them fairly; and, so far as I know or believed, the rate of wages would not be diminished, and that in no other respects would the relations of the employes to the receivers, in the amount of wages paid or time or otherwise, be changed. The committee then asked if we would agree to have all cars and engines repaired and rebuilt at our shops, as well as the cars of other lines injured on our line. I replied that we would make no agreement on that subject; we expected to have all such work done at the railway shops on the Texas and Pacific line, so far as we could do so, on fair terms and with the expedition and character demanded by the emergencies of our business. The committee appeared to be satisfied and then asked when the November wages would be paid. I replied that the judge had given express orders that the

receivers should provide ways and means to pay at once, and that I was prepared to say to them that they should be paid before Christmas. From the shops I went to the pay-car, found that the rolls amounted to between \$225,000 and \$230,000, and that the receivers only had \$35,000 in cash; but upon investigation of the whole question I was satisfied that afternoon that we could meet the pay-checks as they were presented, and thereupon ordered that the pay-rolls and pay-checks already made out should be stamped for the receivers, and thereby avoid the delay of making new pay-rolls and new pay-checks, and directed the paymaster to hasten the change and pay the men. They were all paid before Christmas. I came that night to Dallas and at once published circulars, taking formal possession of the property, establishing the receiver's office at Dallas, and announcing that there would be no change made in the agencies or employés formerly with the company, only in so far as the emergencies of business might from time to time demand. The business of the road proceeded without the slightest interruption, and I heard of no grievance whatever, until after an absence of ten days I found a communication from a committee of which one Moore, an employé in the Marshall shops, was chairman, asking the receivers to sign an agreement, a copy of which I herewith annex, marked Exhibit A. My associate receiver and myself examined the proposed agreement carefully, and it resulted in a reply, under date of February 4, 1886, a copy of which I also annex, marked Exhibit B. To this letter the receivers have had no reply, and we naturally supposed that it was entirely satisfactory. Up to February 24, 1886, we heard through no source, not even by rumor, of any trouble with the employés of the company. At that date one T. J. Burnett wired George Noble, general agent for the receivers in Texas, as follows:

"Please come to Marshall immediately to settle trouble in the shops.

"T. J. BURNETT,

"Member Executive Board Knights of Labor."

Upon application to the general superintendent and the master mechanic at Marshall we could learn of no trouble in the shops, nor did we know what T. J. Burnett, as member executive board Knights of Labor, had to do with our business; and therefore Colonel Noble was directed to reply as follows, under date of February 24, 1886:

"T. J. BURNETT, *Marshall*:

"I have heard of no trouble at Marshall shops. Am too busy to go there to-day."

Under date of February 28, 1886, Colonel Noble received a message from one Martin Irons, styling himself "Chairman Executive Board K. of L.," as follows:

"Governor Sheldon referred me to Dallas. I cannot come to Dallas. Cannot control matters here long; if not settled by 2 o'clock March 1, 1886, must call out Texas and Pacific Railroad employés. Answer immediately by telegraph what action you will take.

"MARTIN IRONS,

"Chairman Executive Board K. of L."

On the next day, to wit, the 1st of March, Colonel Noble received the following message from Marshall:

"Did you receive my telegram of yesterday? Please answer immediately.

"MARTIN IRONS,

"Chairman Executive Board."

To neither of these messages was any reply made, first, because we had no connection with Martin Irons and knew of no authority he may have had to interfere with our business; and, second, we knew of no trouble in the Marshall shops.

On the morning of March 1 the general superintendent was advised by wire from Marshall that four delegates were on the west-bound train to see Colonel Noble, general agent. We had on the day before been advised by the division superintendent at Marshall that he had been instructed by Governor Sheldon to give passes to some delegates who desired to come to Dallas and confer with the proper officers of the railway here. These delegates or this committee never came, and we learned afterwards that they were not employés of the receivers of the Texas and Pacific Railway, but although they had passes to come declined to do so.

No complaint was made by the man Hall, who was discharged in February, to me, directly or indirectly. If he had a grievance I never knew it until after the strike. I learned by wire from Marshall on the afternoon of March 1 that at a given signal at 3 o'clock p. m. the men all left the shops. Believing that a majority of them, and perhaps a large proportion of them, having no grievance, and being entirely satisfied with their relations to the receivers, did not leave the shop of their own accord, I directed the general superintendent to publish an order on the evening of March 1 notifying all the

shopmen that if they would return to work by 10 o'clock a. m. on the 4th of March they would be re-employed and again placed on the pay-rolls, and those who did not so return were absolutely discharged. The strike at Marshall was soon followed by a general strike at the other shops and among the bridge and road forces along the lines in Texas.

On the night of the 3d of March the following message was received at the receiver's office in Dallas:

"MAYOR'S OFFICE, *Marshall, March 3.*

"Gov. JOHN C. BROWN,

"*One of the Receivers of the Texas and Pacific Railroad, Dallas:*

"Will you confer with a committee appointed by the citizens of Marshall to adjust, if practicable, a settlement of the strike now existing?

"W. T. S. KELLER,

"E. J. FRY,

"W. C. PIERCE,

"J. H. VAN HORN,

"H. B. PITTS,

"*Committee.*"

To which the following reply was made:

"DALLAS, *March 3.*

"W. T. S. KELLER, E. J. FRY, W. C. PIERCE, J. H. VAN HORN, and H. B. PITTS,

"*Committee of Citizens, Marshall, Tex.:*

"Your message proposing a conference to adjust, if practicable, the strike now existing has just reached me, without mentioning time or place, but I do not understand how a conference could be had before 10 o'clock a. m., to-morrow (Thursday), the hour fixed by the general superintendent, under instructions from the receivers, for the shopmen to return or be discharged. This order was made after careful consideration. We have paid the men promptly the same wages they have received for a year past without a murmur from them. We have not changed the manner nor hours of work, and in no way, as we are aware, have we done the men the slightest injustice. We have given every assurance, both verbally and in writing, that all men in our employ should be treated with the greatest fairness, and we have met our promises and discharged our duty to them. They have complained of no unfair treatment. Notwithstanding this, they left the shops without the slightest cause, so far as we can ascertain, yet so anxious were we to avoid injustice to any who may have inconsiderately acted on bad advice that we directed that three days be given them to return. We intend standing inflexibly by that order. We will always take pleasure in conferring with any citizens of Marshall, or any other community in the State, on any question alone affecting their own or the interest of their communities, and we would gladly listen to the advice of all good men; but, after all, we must follow the advice of the court, under whose control the railway now is, and to whom alone we can look, and with perfect confidence we know, for the protection of the property with which we are charged as agents of the law.

"JOHN C. BROWN,

"*Receiver, for the Receivers.*"

On the morning of March 4 the committee responded as follows:

"MARSHALL, *March 3.*

"Hon. JOHN C. BROWN, *Dallas:*

"The citizens' committee have had a conference with the executive committee of the Knights of Labor, and suggest to you and are of the opinion that were you to come or send a representative here the matter could be adjusted satisfactorily to all concerned.

"W. T. S. KELLER, *Chairman.*"

To which the receivers made reply as follows:

"DALLAS, *March 4.*

"W. T. S. KELLER,

"*Chairman, Marshall, Tex.:*

"We have ordered the shops closed at Marshall, and they will remain closed until we can fill them with men who will respect the right of the railway and commerce of the country in the same spirit the receivers are ready and willing to respect the rights of labor employed by them. Under existing circumstances, I do not see how I could accomplish anything by going to Marshall, especially as no basis of immediate reopening of the shops suggests itself until willing labor is found.

"JNO. C. BROWN."

The committee then telegraphed as follows:

"MARSHALL, March 4.

"Gov. JOHN C. BROWN,
"Receiver, Dallas :

"The men will agree to go to work to-morrow morning if you will agree to confer with the men aggrieved or this committee. Will you grant this conference? If so, when and where?"

"W. T. S. KELLER, Chairman."

To which the following reply was sent:

"DALLAS, TEX., March 4, 1886.

"W. T. S. KELLER,
"Chairman of the Citizens' Committee, Marshall, Tex. :

"If the men who were in our service on Monday, March 1, 1886, desire to go to work for the same rate of pay they were then receiving, the receivers will employ them at that rate to-morrow morning on their proper appearance at the places they left, and if such men have grievances which arose since the appointment of receivers, we will hear them fairly and justly at Marshall on a day to be named by the aggrieved party, after the grievance is fully stated; but we reserve the right to discharge any man for good cause. We also reserve the right to reduce the force as the emergencies of business may require, on proper notice. The court has authorized the receivers to close any shops or to cease operating the railroad, or any part of it, whenever they deem it wise and prudent; but we do not wish to do so, if the employes will co-operate with us in the same spirit of fairness and confidence that we will certainly deal with them on all questions. It is proper also to state that if the places of any men who have quit our employment have since been filled by other men, we cannot dismiss such men as came to our aid to enable us to move the commerce of the country and to serve the public for the purpose of restoring the original parties to employment.

"JNO. C. BROWN,
"Receiver, for the Receivers."

The next message from Marshall was as follows:

"MARSHALL, March 4, 1886.

"Gov. JOHN C. BROWN,
"Dallas, Tex. :

"The men refuse to comply with your telegram on account of the conditions therein. We have honestly striven, as disinterested parties, to aid in adjusting the difficulties between the company and its employes, but we feel that we have signally failed and herewith discontinue our services.

"W. T. S. KELLER."

To this message the following reply was sent:

"DALLAS, March 4, 1886.

"W. T. S. KELLER, Chairman of Citizens' Committee, Marshall, Tex. :

"I regret you have not succeeded, but am obliged for your earnest efforts. We must have the right to run the road and its shops under the orders of the court or it will be closed. When we pay for services a higher price than is paid by any other industry, we must be permitted to judge for ourselves its fitness for the duty required, or we cannot keep the property in such condition as will enable it to meet the public demands.

"JNO. C. BROWN,
"Receiver."

The pay-car was ordered to Marshall, Big Springs, Fort Worth, and at 10 o'clock the 4th of March such men as had not returned to work were offered their pay, but generally declined it.

I have stated all the facts that come within my knowledge up to the strike and until the 4th of March. During this whole time not a complaint reached this office, nor did I hear directly or indirectly the slightest complaint of the amount of wages, nor of the hours of work, nor the discharge of any man, nor of any other fault found with the receivers or any officer of the road, only in so far as I have already stated. I had never heard of Hall's case until a day or two before the strike, and then only upon incidental rumor, and I even inquired then about the facts and was informed that Hall had been removed because of absence from his post of duty for three or four days without leave, and also for incompetency and inefficiency.

There was no day from the date of our appointment up to the date of the strike, and I may say since that time, when the grievance of any employe, presented by him or his

coemployés, would not have received immediate and careful investigation and consideration; and I have the very best evidence for saying that 90 per cent. at least of the men felt assured of that fact, and that the same per cent. of employés were adverse to severing their connection with the road, temporarily or permanently.

Q. From your personal observation and knowledge and information you received did you regard the property of the T. and P. Railway in danger of destruction?—A. Undoubtedly I regarded it as in imminent peril at Marshall, Texarkana, Bonham, Fort Worth, Big Springs, and Toyah. I regarded the bridges as in danger. I regarded the lives of the employés, among the trainmen especially, and the lives of passengers in danger, and the traffic being moved upon the road as being in danger of being injured. I could not feel otherwise about it when bridges were in fact burned and rails and switches displaced, when violent men assembled in large multitudes at some of the points mentioned and by threats and intimidation prevented trainmen from discharging their duties; and in many instances, as I am informed and verily believed, engineers and conductors and firemen were violently seized and dragged from their positions, trains were side-tracked, engines were killed, and various other damages were done to property. I do not mean to say that I saw much of this myself, but it came to me in the regular course of business by the daily and hourly reports of subordinates. I was so much impressed with the fact that our property was in danger, and knowing as I did that the movement of freight trains was at four or more points absolutely stopped by riotous and disorderly strikers, that I caused petitions to be filed with the judges of the northern and western districts of Texas, as well as the eastern district, and had writs of assistance obtained to the marshals, as well as many warrants for arrest. I conferred freely with the marshals from time to time about their execution, and urged upon the marshals and their deputies that while we desired the writs to be vigorously executed and the mobs broken up and our property so protected as to not be injured, and that we be protected in the free and unobstructed use of our trains, we were especially anxious that all this should be done with every degree of humanity compatible with its enforcement; and that we were especially desirous that no man should be hurt, and that only the flagrantly lawless or violent men should be arrested or imprisoned. That was a subject of frequent discussion between myself and the marshals, as well as many of their deputies. Without the intervention of the court and the aid of the marshals and a large force of deputies in the execution of the writs of assistance the road would have been closed up and would be, in my judgment, closed to-day.

I desire to add that when the committee called upon me in the Marshall shops on December 18, 1885, I told them, as I now recollect, that the court that appointed us was open to hear grievances of any of the employés, and they were advised that they had their unobstructed remedies in the court, and that the judge was an able and impartial man, and would do justice between the receivers and employés.

Q. Did you have any correspondence with Mr. Powderly; and, if so, what?—A. Yes. On the 11th of March, 1886, I received the following wire from Mr. Powderly:

“PHILADELPHIA, PA., March 11.

“JOHN C. BROWN,

“Dallas, Tex., Receiver Texas and Pacific Railway:

“Will you meet with a committee selected by the general executive board of the Knights of Labor to arbitrate for the settlement of the difficulties with the Texas and Pacific employés?

“T. V. POWDERLY.”

To which the following and supplemental replies were made, to wit:

“DALLAS, TEX., March 11, 1886.

“T. V. POWDERLY, Philadelphia, Pa.:

“Message received, asking me if I will meet committee selected by general executive board of Knights of Labor to arbitrate for the settlement of difficulties with the Texas and Pacific employés. I beg to say that we have no difficulties with the employés of the Texas and Pacific Railway, and, should any arise, we are most willing now, as in the past, to confer with them and right any grievance shown by them to exist. The only issue between the former employés, who are now strikers and not in our employ, and ourselves is, that they have committed depredations upon the property in our possession by disabling and killing engines and by interfering by intimidation and otherwise with meritorious and honest men now in our service desiring to perform the duties abandoned by the strikers. This matter we have remitted to the United States court, and the United States marshals, under writs of assistance from the courts, are settling the trouble for us, so that I do not see any good that arbitration with the committee of the Knights of Labor could accomplish.

“JNO. C. BROWN,
“Receiver Texas and Pacific Railway.”

"DALLAS, TEX., March 11, 1886.

"T. V. POWDERLY, *Philadelphia, Pa.* :

"I omitted to say in my dispatch this morning that the United States circuit court for the eastern district of Louisiana, under the orders of which we hold our appointment as receivers, is open and entirely accessible any day to any complaint of the employes of the Texas and Pacific Railway who have any real or imaginary grievance since the receivers were appointed, and the court will hear and entertain with impartiality any application made by parties preferring their grievances.

"JNO. C. BROWN,
"Receiver Texas and Pacific Railway."

Q. Were you able to run your trains all the time? If not, state the places and duration of the hindrances, as well as the causes.—A. We ran our passenger trains all the time. Our freight trains could not be moved through Big Springs and Toyah until the arrival of the United States marshal and his deputies, and even then the strikers and citizens made so much show of force at Big Springs that the marshal sent to an adjoining county for the sheriff and fifteen or twenty good citizens, all of whom he deputized, before the trains could be moved. At Toyah and Bonham freight trains were delayed a week or ten days. The delay at Fort Worth continued a short time only, perhaps less than a day. All of these delays were occasioned by the active interference of strikers, who endeavored to intimidate the trainmen, nearly all of whom remained loyal to us throughout the strike. We had but little trouble in getting all the labor we needed, but the new men were intimidated by those who had abandoned our service without grievance. But after the United States marshals received writs of assistance from the courts and stationed their deputies and arrested some of the leaders, we replaced the strikers, and have been able since to serve the public as common carriers.

EXHIBIT A.

MARSHALL, January 26, 1886.

With a desire to have harmonious relations between the Texas and Pacific Railway Company and the Knights of Labor of said road, we would respectfully request that the following agreement be this entered into:

First. That there be no reduction in the rate of wages of any employé on the road unless it be discussed by an arbitrating committee appointed, the railroad company to appoint three and the Knights of Labor three.

Second. That all rolling stock of this company be repaired on its road, and all foreign rolling stock injured on this road be repaired at the company's shops.

Third. That no employé be discharged without a just cause, said employé having the right to ask for an investigation if he thinks he was unjustly discharged.

Fourth. That all promotions, such as foremen, be made from the ranks.

Fifth. That all time worked after the regular working hours be paid for at the rate of one and one-half time.

Sixth. If it should become necessary to reduce expenses, the men should be consulted which it shall be, a reduction of hours or reduction of men.

Seventh. That should any matter come up between the employes and the company it shall be decided by an arbitrating committee of six, appointed three from the company and three from the Knights of Labor, and the company and Knights of Labor agree to abide by their decision.

EXHIBIT B.

DALLAS, TEX., February 4, 1886.

DEAR SIR: I am just in receipt of a communication from the committee which you represent, of date January 2 last.

As stated to you verbally in December, the property of the Texas and Pacific Railway is in the hands of the United States circuit court, and the receivers are only officers of the court and must manage the business of the lines and shops in accordance with the orders of the court. Contracts made by the company are not binding upon us, nor can we make new contracts, except under the advice and direction of the court. We shall endeavor to do full justice to all employes of the receivers, and shall endeavor by all proper means to retain their confidence and promote their interests in every way consistent with the best interests of the property we represent.

I beg to express to you my thanks for the good wishes you make for the property of this line of railroad. I hope neither you nor ourselves will have occasion to have any disagreement. The condition of the property is such that the most rigid economy must be introduced from time to time, and in all of our contracts we shall have in view the best character of service at the most reasonable rate of compensation or price.

Very respectfully, your obedient servant,

JNO. C. BROWN, *Receiver.*

W. M. MOORE, Esq.,
Chairman, Marshall, Tex.

Q. (By Mr. OUTHWAITE.) I will ask you this question, governor: Would not the conference requested by Mr. Powderly, if granted, have opened the way to some compromise by which the men would have returned to work and all subsequent violence have been avoided?—A. I think not. I may be in error; but I thought then and still think it would have resulted in no good. The strike was then ten days old. The men had committed a great many acts of violence. The places of many of the men had been filled with new laborers. Our track force and our hridge gangs and some of the yard men had been supplied, and we had the assistance of the United States marshal, and I did not think any good would have resulted from such a conference as Mr. Powderly suggested. If I had thought so I would not have delayed to avail myself of it, for no one deprecated the strike more than I did.

Q. It was upon your judgment and without any feeling?—A. Not the slightest feeling. I have never written a letter or telegram during the strike that was dictated by the slightest passion. So far from having any feeling against the strikers I believed then, and believe now, that nine-tenths of them were unwilling to strike, and left alone would have been in our employment to-day. I thought then, and I believe now, they were moved to strike by a few people who commanded them, and I thought they went out without cause. To show my willingness to take them back, on the evening of the 1st of March, the day the strike was ordered by Martin Irons, my associate was not there; but we had talked so fully about these matters that I represented his sentiments as well as my own. I directed the general superintendent to publish an order that all men in the employment of the company on the 1st of March would be re-employed if they returned by 10 o'clock on the 4th of March, without regard to what any man had done or said.

Q. Without regard to the question of the labor organization?—A. Without anything of that kind. He published the order; and so far as that is concerned, the instructions have uniformly been, from the beginning of the strike down to to-day, to discriminate against no man who desired to return to his labor who was qualified because he was a member of any organization, or not a member of any organization, for all should be put on the same footing. In a great many individual instances I advised the taking back of men who were Knights of Labor.

Q. Did you object to the conference because the men were Knights of Labor?—A. We never objected to it because they were Knights of Labor, if they had been in our employ; but I did object to a conference in the nature of arbitration with people not connected with the court under whose authority I am acting, nor bearing any relation whatever to the road. If Mr. Powderly as an individual had come to my office and asked for an interview with me I should have talked to him all day, if he desired; but I did not propose to go into a formal conference with an organization of which I know nothing; an organization which was a secret one; which proposed to give no information of what occurred in the lodge, and that proposed to control our labor without any regard to the will of the laborers themselves. I did not believe I would be sustained by the court in that.

Q. I am requested to ask you this question directly: Whether you did not refuse that conference simply because he was a representative of the Knights of Labor?—A. I did not solely on that account. That was one of the reasons; but if there had been no other I frankly state that I would have refused it on that account. I would have conferred with Mr. Powderly, Mr. Irons, or anybody else if they called; and I did confer with a committee from here and various other places. I have never refused to see or converse with any of the representatives of the men; but a conference in the nature of an arbitration, if there had been no other reason than that stated, I should have refused to go into it, because it was a conference in the nature of an arbitration.

Q. Is that because you object to labor organizations generally?—A. No, sir; I should be pleased to see all labor organized on what I conceive to be a proper plan.

Q. Do you recognize that labor has as much right and that it is as wise for it to say who shall act as its agents as it is for the railroad company to say who shall act for it?—A. Well, in some respects, yes. But not in all relations of the employé and the employer, and especially singling one industry and making it apply to that alone, and controlling, as it would, labor that belonged to a secret organization and labor that did not

belong to an organization, because there must be sympathy in the employés. Now, on the rolls of the receivers there was nothing like half of the employés Knights of Labor. Taking the pay-rolls at four thousand, I doubt whether 35 per cent. were Knights of Labor. I do not know the men. They will not tell us who is their secretary nor who their master workman.

Q. Would you object to conferring upon any matter of grievances or alleged grievances of the employés of the road when they wished to be represented by Knights of Labor who were in the employ of the company?—A. Not in the least. I would be glad to do it at all times; and as far as the question of a mere conference is concerned I would not object to conferring with Knights of Labor who are not employés of the company who are accredited agents of the organization.

Q. Would you confer with any labor organization or any committee from any labor organization composed of employés of the company?—A. At all times, sir. As an evidence of it a committee called upon the receivers. I believe Governor Sheldon was not present, but was at New Orleans. The committee was composed of one locomotive engineer, one trainman, one fireman, and one brakeman, who came as representatives credited by a meeting of these different associations. I had a conference that lasted nearly half a day. At another time I received a communication from the Locomotive Brotherhood, which I took, and in conjunction with my associate, Governor Sheldon, replied to them as an association. They were, however, all our employés. I would at any time, no matter upon what occasion, be glad to confer with any individual employé or any committee of employés about any grievances; and I have uniformly done so. A committee from this place came over representing themselves as Knights of Labor, and I had a conference with them lasting for hours. I have forgotten their names, but Black, a colored man, was one of them I remember; I forget the names of the other two gentlemen. I have seen their names published as connected with the organization of Knights of Labor.

Q. Did you not consider Mr. Powderly as an accredited representative of the Knights of Labor?—A. I have so understood through the public journals and have met him once, but had no conference with him.

Q. Had you that understanding at the time you declined this conference?—A. Yes, sir; and if Mr. Powderly, although he was not a representative of the employés of our company, but as a general representative of a number of men in our employ, had proposed a conference before the strike had become flagrant I would have conferred with him, not in the spirit of arbitration, but I should have met him and conferred freely with him on the whole question; but when the strike became flagrant, when engines were being killed, when freight was prevented from being moved, when our engineers and conductors were being forced from their cabs and trains, and when the marshals and their deputies were on duty and writs of assistance had been issued I regarded the matter as out of my hands and in the hands of the court. They were not our employés; every dollar of their pay had been tendered to them, and they were published by general order all along the line as being out of the employ of the company and that we had nothing to do with them. There were a great many of them engaged in acts of lawlessness, defying the laws of the State, defying the authority of the United States circuit court, and seizing the property in the hands of the receivers. I did not think them members of a class of men with whom I had anything to do any more than with a mob formed here to-day, for they were mobs in very many places.

Q. Upon another branch of the question. Are you opposed to arbitration between the employés and the road?—A. No more than I am to arbitrating grievances that may arise between a corporation and an individual or individuals. If the two agree I think it is a good method of settling disputes; but I have never been able to see how a general plan can be devised that would result in any good; and certainly the method that has been proposed by this organization and accepted by a great many railroads is unfair. They say you cannot discharge an employé without thirty days' notice; you cannot reduce your force without thirty days' notice; but they quit without notice at the blowing of a whistle, leaving your trains on a side-track, and your shops unprotected.

Q. Could not that be remedied by exacting from them the same condition, that they must give notice?—A. I suppose it might be. They have hitherto refused to do it.

Q. Is it a fact that that matter has been presented directly to the persons offering to be employed and the employers?—A. I can state from personal knowledge only one instance, but have heard of others in railroad circles. In March, 1885, I remember the matter was under discussion. I was in conference with Mr. Hayes and Mr. Hoxie. I was then general solicitor of the Missouri Pacific system. It was proposed to some one of the Knights of Labor that the notice must be mutual. They were demanding that there should be no decrease of wages or diminution of the hours without thirty days' notice, and we wanted a mutuality in the matter of thirty days' notice; and if they would agree not to strike without giving thirty days' notice we would do that. We were then managing the property for a railroad organization and not for a court.

Q. What response was given, if any, to that proposition?—A. I only heard from Mr. Hoxie and Mr. Hayes. I was present when the proposition was made, but I did not hear the reply myself. They declined to do it. In addition to that I could not very well see how parties who owned property could surrender their right to manage it in their own way, and surrender the right to tell what wages they will pay or the right to reduce wages in dull seasons when their finances will not justify the full force. I do not think men ought to be discharged without fair notice, long enough to get other employment—a reasonable time; but if we must arbitrate everything of that character or promote from the ranks as against an outsider whom the company deems suitable, I cannot see how we can successfully manage railroad property.

Q. You have testified as to the order to give re-employment to men who should go back to work by the 4th of March. If they had returned on the 4th of March would not the real or fancied grievances have remained unadjusted?—A. Well, sir, I gave very little thought to that subject, because I knew not the nature of the grievances. I supposed they had gone out simply because Martin Irons, chairman of some board, had ordered them. I was interested in their remaining at work. Some of them told me they had no grievances, but that they had as Knights of Labor to obey the order of that board represented by Martin Irons, and I supposed if they come back of their own accord we would have had no grievances to settle. There had been no grievances presented to me.

Q. What if they had returned to work and presented grievances for consideration?—A. We would have considered them in a spirit of fairness.

Q. Whether real or fancied?—A. Whether real or fancied. The facts would have been inquired into, and if the general superintendent had wrongfully discharged a man and had refused to put him back I would have discharged the superintendent.

Q. You recognize the fact that railroads as public corporations engaged in interstate commerce are subject to regulation, even for arbitration, if Congress should so determine?—A. That is a legal question that some of us might not agree upon. I do not think it comes within the domain of Congressional legislation; but that is simply the opinion of one lawyer.

Q. Can you state the number of men employed on the 1st of March on the Texas and Pacific road?—A. About 4,000 men, all told.

Q. What is the number employed, say, on the 1st of May?—A. The 1st of May? I should say about 3,400 or 3,500. I have the exact figures at my office. Our force is always diminished at this season of the year.

Q. Are you now supplied with the full amount of help necessary?—A. Everybody we need except a few skilled mechanics in the shops. Our road force is fully supplied, and of bridge men I think we have all we need. We have taken back a great many strikers. I suppose that one-half of our bridge force are men who struck and returned again of their own volition; some of them knights and some not knights.

Q. Has the road demanded any withdrawal from labor organizations?—A. If any man has done that it has been done in disregard of the orders of Governor Sheldon and myself. We have repeatedly stated that no agent or officer of this road should demand the withdrawal of any man from the Knights of Labor because he was a Knight of Labor, and that they should not discriminate against Knights of Labor because they were Knights of Labor. We determined from the outset that we would take back no man who had been guilty of violation of the law or had done damage to property or had been in contempt of court. We take that position to-day. We will not take back any such men.

Q. Were any of these acts of violence to persons committed before the date you received Mr. Powderly's telegram suggesting arbitration?—A. Yes, sir.

Q. Will you mention any particular case?—A. There were one or two instances of that kind which occurred at Big Springs and Toyah, on the Rio Grande division, west of here.

Q. What have you to say as to the employment of Chinamen on any part of your road?—A. We have, I do not know the number, but probably one hundred and fifty, and maybe more.

The CHAIRMAN. Governor Sheldon said one hundred and ten.

The WITNESS. Mr. Keller, the division superintendent, is here, and he can tell exactly the number. They are on the extreme western end of the Rio Grande division, which extends from Fort Worth to El Paso, 616 miles. It traverses what was known so long as the Great American Desert, or Staked Plains. And then, beyond Big Springs, nearly half way, there is no population, no settlement worth speaking of. It is a dry, uninhabited region. We find it next to impossible, I will not say impossible, to keep colored men or white men there on those sections. Time and time again these sections were filled with men—white and colored men—but they have none of the privileges of society there, and neither the negro nor white man will stay there. The negro wants to go to festivals and the white man wants to go to a saloon or meetings, or something of

that sort, and it was almost a necessity to employ Chinamen on that section. We would rather employ other labor—I mean white men or colored men. The Chinese are there, but they do not do as effective labor as white or colored men, Americans or Irishmen. Some allusion was made to convicts. We have no convicts on our road, and have not had since we have been here, and perhaps some time before. If these Chinese were taken away to-day, I doubt whether we could keep a force there four weeks of either colored or white men. I learn that as a matter of tradition on the line, and I was vice-president on the road from 1876 until recently, I have always known it was extremely difficult to keep road-repairers on the line. They are simply section-men, the lowest grade of labor we have. They do not mingle with others at all; they are not worked together with white men or with negroes either on other sections.

Q. At the time you were appointed, what official position were you holding, if any, under the Missouri Pacific system?—A. I was general solicitor of what was called the Gould system, embracing all these roads. I had general charge of the legal department.

Q. What do you mean when you say "all of these roads"?—A. I mean the Missouri Pacific, the International and Great Northern, the Missouri, Kansas and Texas, the Saint Louis, Iron Mountain and Southern, and the Central Branch Union and Pacific. I was also general solicitor for the Texas and Pacific.

Q. What relation then did the Texas and Pacific sustain to the Missouri Pacific?—A. None whatever.

Q. At that time?—A. Never. I suppose you mean legal connection.

Q. Yes, sir?—A. None whatever.

Q. How did the question of appointing a receiver come about?—A. In the spring of 1885 our board of directors appointed a committee of their own number to visit Texas and examine the condition of the line and to come back and report its position and suggest a financial plan for restoring the road to a better physical condition, and also to enable it to pay its fixed charges; and because of the accident by which some of us were hurt the visit was postponed until last September. We came out and went over the entire line of road. Mr. Bullock, of Philadelphia, and eight other gentlemen and the officers of the road in charge made estimates of what it would cost to put the road in a fair condition. We then ascertained the floating indebtedness and looked at the earnings, and found it was impossible, even if the road owed no floating debt, to pay interest any longer. The fixed charges were twenty-one or twenty-two hundred thousand dollars, and the net earnings amounted to only about a million. The road is 1,487 miles long, and only 400 miles had steel rails. The board took the question up and believed that they would have to suspend payment. The Missouri Pacific demanded payment of a million and a quarter of dollars which it had advanced from time to time. A bill was filed by the Missouri Pacific Railway Company to place the road in the hands of receivers with a view, first, to putting the property in a better position to sustain the payment of the fixed charges and putting all the current earnings of the road into steel rails and then foreclosing.

Q. Will you state whether this indebtedness resulted from the holders of the bonds of the Texas and Pacific assigning their coupons to the Missouri Pacific?—A. This Missouri Pacific debt, as I understood it, was created in the purchase of steel rails and ties, and in advancing money for the payment of the coupons maturing from time to time, held at large by the market. For a time about \$300,000 or \$350,000 of these coupons were held by a trust company in New York, uncanceled, as a further security to the Missouri Pacific Railway Company for these advances; but they have since that time been canceled and that advance of \$350,000—if that is the amount, and I believe it is—now comprises a part of the \$1,250,000 claimed to be due by the Missouri Pacific and admitted by the Texas and Pacific to be due.

Q. As to the rolling-stock of the Texas and Pacific road, when you were appointed receiver, was any of it missing?—A. Well, sir, we found no more of it missing than you usually find. We could trace it to where it was upon other roads, and I suppose we had nearly as many cars of other lines upon our road as we had cars absent. That is generally the case. I have heard of no failure to find any cars for which search has been instituted. We have tracers, and the records of the company are supposed to show where every single car is by number. I remember asking if our record was complete in that regard, and was informed by the new superintendent, a gentleman not connected with the Texas and Pacific until after our appointment as receivers, and was informed that it was.

Q. Where is Toyah?—A. West of Big Springs. Toyah is 421 miles west of this city.

Q. You spoke of Chinamen being employed in the extreme West. Are not unskilled workmen at Toyah Chinamen?—A. I am not able to say, but I think not. They were not at the time of the strike, I am pretty sure. I was there in December and saw no Chinamen whatever at Toyah. The unskilled workmen in the shops and yards were not Chinamen, I am sure; but I would not state positively that it is not now and was

not during the strike. Mr. Keller can tell definitely when he comes on the stand. He is superintendent of the division.

Q. I am requested to ask you this question: Is it not a fact that the profits of the Texas and Pacific Railroad were appropriated to the Missouri Pacific, or what is known as the Gould management?—A. If I had ever thought so I should have had an investigation as vice-president of the company, and would have now as receiver. I do not believe that it has ever been appropriated at all. The same official that handled the funds of the Missouri Pacific handled the funds of the Texas and Pacific. He was the general treasurer of the Texas and Pacific. The charter treasurer is not connected with the Missouri Pacific, but the money passes through the hands of Dr. D. H. Smith, local treasurer, at Saint Louis. He was elected local treasurer by the Texas and Pacific board of directors and the Missouri Pacific, the International and Great Northern, and the Missouri, Kansas and Texas, by the separate boards of each of these organizations.

Q. Possibly this might be intended by the question: whether, as a result of some pooling arrangement, that was not the fact, and the earnings, or portion of them, of the Texas and Pacific were inequitably transferred to the Missouri Pacific?—A. About two years ago that was charged by some bondholders. They appointed a committee at Philadelphia, saying it was unfairly done. It was investigated at the time, and finally resulted in having Mr. Gault, who is a railroad man of national reputation, and Mr. Tucker, who I believe is at the head of the traffic of the Illinois Central system, selected to go and investigate the whole question; and to go through the auditor's books and traffic department, as well as inspect the property itself. They spent weeks upon it and they made a very elaborate award, which was submitted to the complaining party and board of directors, and I think the trustees of the mortgage bonds. It was passed in review by a large majority of the bondholders who were immediately affected by it, and without a single exception it was conceded everywhere that it was a practical and just settlement. I do not know whether it was or not. I know nothing about the details of traffic, and do not pretend to know anything about it. We have since we were appointed receivers made some changes; such things occur constantly on our connecting lines. That Gault-Tucker award substantially guides us in the division of earnings between the line and the other roads with which we have connection. We have an understanding as to what proportion of the earnings on through freight shall be charged to each line and the general proportion, and it is then settled by the traffic department and the auditor.

Q. Can you give me a statement of the number of cars of freight which pass through the State of Texas into other States on the Texas and Pacific?—A. I cannot here, sir, but I could at Dallas give you a statement at the auditor's office, approximating very nearly to it. It is probable we do much the larger proportion of our business of the character of interstate commerce over the Missouri and Pacific system. We are now opening up a fair trade with the Queen and Crescent road, that leads through Chattanooga to Cincinnati, but it never had good connection with us until within the last two or three months, and since they have been prepared to handle business out and into Texas we have established very amicable relations. The Queen and Crescent is made up of the Cincinnati Southern, commencing at Cincinnati, and the next line is what is known as the Alabama and Western, I believe, leading from Alabama on to Chattanooga, Tenn., to Meridian, Ala., and thence to Vicksburg and Shreveport, and it has also connection with New Orleans.

Q. Now, I ask you had you any knowledge of freight being shipped from one to five hundred miles out of its way to keep traffic off the Texas and Pacific?—A. I have never heard of it. I do not know where it could occur. I could not imagine that a shipper at Saint Louis would send freight by Louisville and over those roads when it could be shipped by our road; and I do not see who could be interested except three or four roads there. The two roads controlled by the Missouri Pacific into Texas are about the same length. The Iron Mountain, running from Saint Louis to Texarkana, and the Missouri, Kansas and Texas, leading through Sedalia, and there connected with the Missouri Pacific proper, comes in at Denison, and I believe the lines taking those points are within nine or ten miles of being equal in length, or very nearly the same distance. I know we had to ship some freight during the strike several hundred miles around, by Jackson, Miss., to get it to Saint Louis; but that was not a matter of choice. Those peaceable gentlemen Mr. Powderly wanted us to arbitrate with would not allow us to go the other way.

Q. (By the CHAIRMAN.) How many track hands are employed on the Texas and Pacific?—A. About thirteen hundred.

Q. How many trackmen are Chinese and convicts?—A. There are less than one hundred and fifty Chinamen, and no convicts.

Q. Why does the company employ Chinamen? Is it to save money by their employment?—A. No, sir. I think it loses money. If we could get colored or white labor, it would pay us better. They get the same as other laborers upon other parts of the lines.

Q. If you could get white or colored labor you would not employ Chinamen?—A. If we could keep them there. We employ them because we cannot get other labor to remain.

Q. Have any railroad companies in Texas employed convict labor?—A. Yes, sir. I employed convict labor as vice-president of the Texas and Pacific road in 1876, and since that time the Texas and Pacific have had, in the dearths of labor, occasion to do so. It is very difficult to get colored labor in the cotton-picking season. They can go to picking cotton and demand their own prices; and on occasions of that kind we have had to use convict labor.

Q. Do the railroads generally employ convict labor in Texas?—A. I think not, sir. That is my understanding. I know of but one road, that is the Missouri, Kansas and Texas, that have convict labor, and saw a squad of fifty or sixty men at work on that road.

Q. By what authority have convicts been employed?—A. By authority of the State.

Q. What is your opinion as to the employment of convict labor outside of the penitentiary?—A. The talk about convict labor being in competition with other labor I have always regarded as idle. The proportion they bear to labor in any State is so small. There are two millions of people in Texas, and I cannot see much competition that there can be with fifteen hundred convicts.

Q. Would you have it come in competition with honest labor?—A. I would avoid it as far as possible; but I would not propose to keep convicts in broadcloth clothes and kid gloves at the expense of the State treasury.

Q. Do you not think that the employment of convict labor is calculated to have a demoralizing effect on the honest labor of the country?—A. If it mingles with it, certainly.

Q. Do convict laborers mingle with honest laborers on the railroads?—A. They are kept entirely distinct.

Q. Have you given much thought and consideration to the subject of the relations between corporations and their employes. If so, what character of legislation, if any, State or national, would you recommend for the prevention of strikes and their attending evils?—A. That is a very broad question. I have thought of it a great deal, and very anxiously; but I think, except in some minor details, we have legislation enough, both State and national. The courts are open, and always willing, and very anxious to do full justice against railroad companies. That has been my experience, and the employes of railroads in Texas, Arkansas, or Missouri I have never seen fail to get much more than they could get against an individual.

Q. Do you not think that there are certain grievances which might be set forth by the employes that are not really subjects for the action of courts, for instance, the rates of wages? There are matters of contract over which the courts must have no control.—A. That must at last be governed by the ordinary law of supply and demand. If you have a surplus of labor it is cheaper, just as any overplus of grain makes grain cheaper, and I cannot see very well the justice of enacting a law by which railroad companies shall be restrained in their right to fix the rate they would pay a man and of paying their employes when all the men are not subject to the same rules. The farmer comes in direct competition with the railroad in the employment of section hands. Our ordinary laborers, as a rule, are not generally as good as farm hands. They are inferior laborers; but I do not mean to disparage them. They are driven from necessity to work upon railroads in repairing the tracks. But it is a labor that does not require much skill; and of the colored labor, we have a good deal of it in that department. We employ it in direct competition with the farmer. There is a competition for that labor between the farmer, the contractor, and various other people with the railroads; and there is never a time when good labor of that sort cannot demand better prices from railroads than from the farmer. We have not a section hand in our employ to-day that could go to any farmer in Texas and get from him half as much money as he is getting from the railroad.

Q. You speak more particularly with reference to the Southern States?—A. Yes, sir; I know very little about the question in the Northern States, only as I have looked at the statistics.

Q. If you employ convicts, do you not make to that extent an increase in the supply?—A. I think not; because convicts must, by the laws of the State, be punished by hard labor and confinement. That is the statute of the State. Unless you repeal that, they must come in conflict with some other labor. Take, for example, a State that I am more familiar with. In our State, in 1871 and 1872, it was a question discussed everywhere whether some law such as is in effect in other States should not be enacted to put the convicts to work on undeveloped industries. They were employed at occupations that would not come into conflict with any industry in the State, such as making hollow-ware, cheap furniture, and cedar-ware, in very large quantities. These industries came in conflict with no establishments in the State, but their wares were sold,

and it became a source of great profit to the penitentiary, instead of being a charge of \$185,000, as it had been before. The first year it paid thirty-odd thousand dollars into the treasury. Very soon individuals organized and built up those industries themselves, and now the convict labor is in direct competition with the individual labor. That has sprung out of the success of this policy, and so it is of any industry you may begin that is found profitable. Individuals will organize and pursue the same calling, and while the letter of the law is that a convict shall be confined at hard labor, I do not see how you can employ him without bringing him into competition with somebody else. You may put him on the public roads, and yet there are plenty of men willing to work on the public roads at a dollar a day, and maybe very anxious to do it; and if you put these convicts on the road these men have no chance to compete with them.

Q. (By Mr. OUTHWAITE.) Why not put them on the public roads and make them just that much better?—A. Then you have the cost of guarding them, clothing, diet, and all such things to be paid out of the treasury, and the competition remains.

Q. The State would be benefited by the improvements of its roads, would it not?—A. Yes, sir; I was very partial to that system at one time, and advocated it officially. I think it is the best you can do with convict labor.

Q. (By the CHAIRMAN.) Is it your legal opinion that Congress has the power to control by appropriate legislation, under the commerce clause of the Constitution, the rates of freight to be charged by a railroad corporation for transporting freight from one State to another, and the rates of wages to be paid by said corporation?—A. I do not believe that Congress has the constitutional right to do so.

Q. Do you think that Congress has power to regulate the price of freight?—A. No, sir; I do not.

Q. Are not all railroads public highways?—A. They are, in a sense.

Q. Are they not authorized by law to exercise the right to condemn land belonging to private owners through which their roads may run? Are they not chartered by either Congressional or State legislation?—A. They are.

Q. Are they not subject to legislation then?—A. They are, consistent with their charters, to the legislation which brought them into existence. I think all our charters except three or four are the creatures of State laws. They are amenable to State legislation only to the extent that the legislation does not conflict with the charters; but I do not believe that the Congress of the United States, under the Constitution, has any control of a railroad brought into existence by the laws of a State.

Q. Do you believe that Congress has that power with a railroad that was chartered through Congress?—A. It depends upon the charter.

Q. The Texas and Pacific was so brought into existence?—A. Yes, sir. And then it required a State franchise to allow it to condemn the land for right of way, &c.

Q. What is the practical difference in their operations between the transportation of commerce by steamboats and by railways?—A. The transportation of commerce by steamboats is upon the rivers, the lakes, and the high seas. These are acquired by conquest or treaty, or are bought and paid for or acquired by the Government, and are in no sense private property. No one has any private right in those mediums of transportation, but on railroads it is different. Although a railroad company has the right under the law to condemn the right of way, grounds for its station-houses, its machine-shops, and other necessary grounds, yet it must pay an assessed value for it. My observation leads me to the conclusion that they pay more dearly for it than any corporation or individual for that character of property. They pay for the track and rolling-stock and all that, including the wages of the employes; and it is a public highway in the sense that it must transport all the commerce that is offered to it, and it must transport that commerce for a reasonable rate, with expedition and with safety.

Q. Are not steamboats governed by the same rules?—A. Yes, sir, and should be subject to the same restrictions.

Q. That is the element in which they operate?—A. Yes.

Q. Is not the only practical difference in the element upon which they operate—that is, the steamboats upon water and the railroads upon land?—A. That is the chief difference.

Q. Could not the railways be subjected to the same rules, regulations, and laws in respect to the qualifications of the employes and of their general operations as apply to the instruments of commerce by water?—A. That is possible; and right upon that question I have believed that the court of admiralty might be taken as a suggestion of a forum to be created in which should be determined all questions between railroad companies and their servants and their patrons, just as the court of admiralty is a court in which to hear and determine all questions between masters and seamen and between shippers and consignees on the one hand and the carrier on the other. Take it as a suggestion, remodel the court, and bring its jurisdiction within easy reach of all parties in-

terested, so that all questions arising between master and servant, shipper, consignee, and carrier shall be heard in that court.

Q. Would you have these courts established by the States, to regulate State matters entirely, or by the Federal Congress to regulate interstate commerce?—A. If it was necessary, we should have a constitutional amendment to create these courts. I would do whatever is necessary. While I may doubt the constitutionality of such courts in their application to railroads, yet I certainly believe it would accomplish the end sought better if made constitutional than any means that could be obtained by arbitration. The objection that I have to arbitration is you cannot compel anybody to arbitrate. You cannot enforce the award of arbitrators, and I have learned to look with very great disfavor upon jurisdiction as quasi jurisdictions, not within the spirit of our constitution, with no power to execute their own orders.

Q. It is urged that one of the fundamental causes, perhaps the principal one, of alleged low wages arises from the issuance of watered stock to pay dividends upon which requires a reduction of running expenses, of which labor is said to comprise about 60 per cent. Will you please give your opinion upon this subject?—A. I do not think this has anything in the world to do with the price of labor. A railroad company that is insolvent pays as much to its employes as a railroad that does not owe a dollar, because the watered stock is not a fixed charge upon the property.

Q. I believe this subject of watered stock is more talked about than understood. Will you explain it further?—A. It is the issuance of shares of stock that represent no money. We start out with stock at say \$10,000 a mile, and at the end of four or five years the directors will get together and say: "We have had no benefit out of this road. We have put the earnings into betterments. We have put up station-houses, and we have put down steel rails, and all that. That amounts to \$10,000 a mile, and we will issue to ourselves \$10,000 a mile in stock, the new stock representing betterments we have put upon the road." Now that does not represent dollars actually put into the business.

Q. Is that submitted to the outside stockholders?—A. Of course they must adopt it; but the directors devise the scheme, and it is submitted to the stockholders.

Q. You think, then, that the question of watered stock does not affect the rate of wages?—A. It cannot possibly do it. Labor must be controlled, and always will be controlled by the plain question of supply and demand.

Q. And yet if you want to pay dividend upon this watered stock have you not to decrease the running expenses?—A. We cannot get labor. We cannot do it any more than a farmer can go out and employ plowboys at 10 cents a day.

Q. It is claimed that in some instances the same persons have controlled the stock in railroads and in construction companies which have constructed said railroads, or extensions of them, for amounts paid in stocks and bonds largely in excess of the actual cost. Do you know of any such cases?—A. I expect that is true in a great many instances. However, I have no personal knowledge of just such a case as you put; but I have no doubt it is true.

Q. How would that affect the rate of wages?—A. I do not see that even that would affect the rate of wages, for at last it comes back to the old question of supply and demand. As Governor Throckmorton said, "It depended upon what you want it for, and how bad you want it."

Q. What do you think of the question of Government ownership of the railroads?—A. I should regard it as a great misfortune to the Government and to the country.

Q. Why?—A. I think the fewer business interests the Government has the better for the Government and the people and the business to be subserved by it. I think the patronage of the Government, already too large, has a tendency to demoralization.

Q. I am requested to ask you this: Do you intend to say that Congress, which creates a corporation, has no right to control it after it is made?—A. It depends upon the charter.

Q. You regard this charter in the light of a contract between the Government and a railroad?—A. Yes, sir. Many of these charters, however, are subject to the control of Congress.

Q. You regard the decision in the Dartmouth College case as all right?—A. I do. I think it was sound law.

Q. (By Mr. OUTHWAITE.) Will not an effort be made by the management of a road that has issued a large amount of watered stock to pay dividends on that watered stock?—A. Yes, sir; undoubtedly.

Q. Then must they not either tax the commerce of the country to enable them to pay a dividend wrongfully or economize with respect to the labor of the corporation for that same purpose?—A. They will unquestionably do one or both if they can, or as far as it can be permitted, but at last they cannot affect the price of labor, because labor is demanded by too many other industries. I have no doubt that there are several railroads

in this country that have no conscience, that would employ a man at half-price if they could, and charge two prices for transportation if they could; but there is too much competition to allow that to succeed to a very great extent.

Q. I will ask you whether or not the railroads of Texas are in a pool?—A. There is in Texas what is called the Texas Traffic Association. I believe all the railroads in the State are members of that Traffic Association.

Q. Now comes the question of where does competition come in?—A. Well, there is competition outside of the State that is not controlled by this Traffic Association. There is water transportation of commerce to Galveston that is not controlled by this Traffic Association; and we are competing all the time with the Mallory line and Morgan line for freight to New York, and Boston, Philadelphia, and many interior places. We get the principal portion of our steel rails shipped from Scranton and Bethlehem by steamship delivered at Galveston, or New Orleans, by barges or by steamers.

Q. Let me make it clear. A part of the competition which you have in the State of Texas, or are subject to, is the competition resulting from steamship lines from New York and other points to New Orleans and Galveston?—A. Yes, sir.

Q. Is not the Atchison and Topeka line in this pool?—A. No, sir; it is not in this State at all. It does not own a mile of road in Texas.

Q. What is the road running from Galveston to Fort Worth?—A. The Gulf, Colorado and Santa Fé.

Q. Is not that controlled by the Atchison and Topeka?—A. I have seen in the papers in the last few weeks that there are some new relations between the two companies, but I do not know whether it is true. I have seen it denied also. They have doubtless some relations, but I do not know what they are.

Q. Is not that line in some close connection, in regard to its traffic earnings, with the Mallory steamship line?—A. Not that I am aware of. The Southern Pacific is in close relations with the Morgan line; but I do not know of any relations the Gulf, Colorado and Santa Fé have. I would say further about the Texas association, the rates of passenger fare are limited in Texas by law to 3 cents a mile. The freight maximum rate is 50 cents per 100 pounds per 100 miles. No railroad can exceed these rates; and the object of this traffic association was to prevent those ruinous and disastrous cuts which were introduced by the Narrow Gauge road—that is, the Texas and Saint Louis—which has now gone into bankruptcy. The association was organized to maintain a regular standard of rates; not to fix rates, but a general regulation of rates. There is not much danger in Texas. There is not a road in Texas that is paying anything on real or watered, and only one paying any interest at all.

By Mr. PARKER:

Q. If competition reduces the rates, and wages are affected materially by the amount of earnings, would not pooling tend to raise the wages?—A. That is true, sir; one would necessarily follow the other. If a reduction of rates reduces wages, then the increase of rates, by pooling or otherwise, would have the same tendency to raise the wages.

At the request of the committee Governor Brown furnished a copy of the petition for the appointment of a receiver, which is made a part of the record.

In the Circuit Court of the United States for the eastern district of Louisiana.

In equity.

The MISSOURI PACIFIC RAILWAY COMPANY, a corporation incorporated under the laws of the State of Missouri, and a citizen of said State of Missouri,

vs.

The TEXAS AND PACIFIC RAILWAY COMPANY, a corporation created by and existing under certain acts of Congress of the United States.

Of sessions.
No. 11,181.

To the honorable the judges of the United States circuit court, in and for the fifth circuit and eastern district of Louisiana:

The Missouri Pacific Railway Company, a body corporate under the laws of the State of Missouri, and a citizen and resident of said State, in its behalf, as well as of all other corporations and persons similarly situated that may, by intervention, bring themselves into this suit for the protection of their interests, brings into this honorable court its bill of complaint against The Texas and Pacific Railway Company, a corporation existing under the laws of the United States of America, and having properties and rights in the States of Louisiana and Texas, under and by virtue of the laws of both of said States, and having at the same time citizenship and domicile,

offices and places of business in this district, and officers and agents herein, in the city of New Orleans, on whom process may be served.

And thereupon your orator complains and says:

(1) That the Congress of the United States of America, by an act approved March 3, 1871, created a corporation under the name and style of The Texas Pacific Railroad Company, and by an act approved the 2d day of May, 1872, supplementary to the said original act, changed the style and title of the said The Texas & Pacific Railroad Company to "The Texas and Pacific Railway Company;" and by said acts, the Texas and Pacific Railway Company was authorized and empowered to construct a line of railway from a point at or near the eastern boundary line of the State of Texas, near the town of Marshall, in Harrison County, westward to the western boundary line of the State of Texas, to a point at or near a point opposite to El Paso, in the Republic of Mexico, and thence westward, as set forth in said act, to the Pacific Ocean, at San Diego, and by the fourth section of said original act the said Texas and Pacific Railway Company was authorized to purchase the stocks, land-grants, franchises, and appurtenances of, and consolidate, on such terms as might be agreed upon between the parties, with any railroad company or companies heretofore chartered by Congressional, State, or Territorial authority, on the route prescribed in the first section of the act, &c., and is also authorized to own, maintain, and operate a railroad to Shreveport, Louisiana.

(2) That the legislature of the State of Texas, by an act passed May 24, 1871, entitled, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean," by its eleventh section authorized the consolidation with the said Texas and Pacific Railway Company, of the Southern Pacific Railroad Company and the Southern Trans-Continental Railway Company, two corporations before that time organized under the laws of the State of Texas, the first of which was authorized to construct a line from the eastern boundary line of the State of Texas, at or near Marshall, westward to El Paso, on the Rio Grande, and the last-named corporation was authorized to construct a line from Marshall, in said State, northwardly to Texarkana, and westwardly by Clarksville, Paris, and other points, to El Paso; and said act of May the 24th, 1871, authorized the Texas and Pacific Railway Company to consolidate with said two corporations, on such lawful terms and conditions as might be agreed upon between the said companies and should be ratified by a majority of the stockholders of each of the corporations so consolidating.

(3) That by an act of the Texas legislature, passed November 25, 1871, entitled, "An act amendatory of and supplementary to an act entitled, 'An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean,' passed on the 24th day of May, 1871," said act of the 24th of May, 1871, was so amended as to require a junction of the said Southern Pacific Railroad Company and said Southern Trans-Continental Railway Company, at a point westwardly, to be agreed upon by said companies; which act was complied with by said two last-named companies, by an agreement in writing, filed in the office of the secretary of state of the State of Texas, and dated the 6th day of May, 1872, fixing the point of junction at or near the city of Fort Worth, in the county of Tarrant, in said State of Texas.

(4) That on the 21st day of March, 1872, the said Texas and Pacific Railway Company, and the said Southern Pacific Railroad Company, executed and filed with the secretary of state articles of consolidation, in pursuance of the legislation aforesaid; and on the 30th day of March, 1872, articles of consolidation were made, executed and filed in the office of the secretary of state of the State of Texas, between the Southern Trans-Continental Railway Company and the Texas and Pacific Railway Company, in pursuance of the legislation aforesaid, by which said consolidations, the said Texas and Pacific Railway Company became entitled to and vested with all the rights, franchises, property, and privileges of both the Southern Pacific Railroad Company of Texas and the Southern Trans-Continental Railway Company of Texas, as aforesaid, and was also invested with all the rights and privileges of the Southern Pacific Railroad Company of Texas, in and to a certain lease, before that time made and entered into by and between the said Southern Pacific Railroad Company of Texas, and the Vicksburg, Shreveport and Texas Railroad Company, existing under the laws of the State of Louisiana, in and to that portion of the line of said last-named company extending from Red River, at Shreveport, westwardly to the Texas State line; by which said lease the said Southern Pacific Railroad Company had the right to use and operate, for its own exclusive use, the lines so leased, from and until the month of February, in the year 1884, at which said latter date, or soon thereafter, the said The Texas and Pacific Railway Company renewed said lease, with certain modifications, therein contained; under and by virtue of which said renewal, the said The Texas and Pacific Railway Company has the right to continue to operate and maintain that portion of said leased line between the eastern boundary line of the State of Texas and its junction with the road of the New Orleans Pacific Railway Company, near the western boundary line of the city of Shreveport, on the terms and conditions therein stated, and with certain other rights and privileges therein con-

tained, which will more fully appear by reference to the copy of the lease itself, which will be filed in this cause.

(5) That by an act of the legislature of Texas, on the 22d day of May, 1873, entitled "An act to adjust and define the rights of the Texas and Pacific Railway Company within the State of Texas, in order to encourage the speedy construction of a railway through the State to the Pacific Ocean," the consolidations aforesaid were fully recognized and ratified by the legislature of Texas, and the manner and mode of the construction of its line and railway were fully defined; and by said act there was donated by the State of Texas to the said Texas and Pacific Railway Company twenty sections of land, of 640 acres each, for every mile of its road completed, in good, substantial running order, in the State of Texas, upon the terms and conditions prescribed in said act; and it defined the limits within which the lands aforesaid should be located, as the construction progressed, in sections of twenty or more miles.

(6) That among other supplementary and amended acts passed by Congress, the one approved June 22, 1874, recognized and ratified the consolidations of the Southern Pacific Railroad Company, of Texas, and the Southern Trans-Continental Railway Company, of Texas, with the said Texas and Pacific Railway Company, and provided that the road so merged, for the purposes of the mortgages therein authorized, as well as for all other purposes, be deemed and taken to be a part of the said Texas and Pacific railway, and subject to all provisions and limitations of the act of Congress incorporating said company, and of the supplements thereto.

(7) The said Texas and Pacific Railway Company organized under the act of Congress aforesaid, and accepted the provisions of the various acts above recited of the State of Texas, and completed its line from the eastern boundary line of the State of Texas, near the city of Marshall, westwardly to a point about 81 miles east of El Paso; and it reaches El Paso, by a joint agreement, by the Galveston, Harrisburg and San Antonio Railway (known generally as the Southern Pacific Railway), over its line into El Paso; it also completed its line from Marshall, by way of Jefferson, to Texarkana, and from Texarkana westwardly, by way of Clarksville, Paris, Bonham, Sherman, and Pilot Point, to a junction with its southern line at Fort Worth, and received from the State of Texas, from time to time, about 5,000,000 acres of land for the construction of its line east of Fort Worth.

(8) That by deed dated the 20th day of June, 1881, by and between the New Orleans Pacific Railway Company, party of the first part, and the Texas and Pacific Railway Company, party of the second part, which deed is hereby referred to as part hereof, of this bill, the Texas and Pacific Railway Company, by virtue of the franchises obtained by its various charters from the Government of the United States, and acquired by the legislation of the State of Texas, and by virtue of the authority conferred by the laws of the State of Louisiana, acquired by and under said name, the railway and all of the franchises and rights appurtenant thereto, of the New Orleans Pacific Railway Company, a line constructed and being operated between the city of Shreveport, in Caddo Parish, Louisiana, and the city of New Orleans, including a branch extending to West Baton Rouge, on the Mississippi River; which lines were encumbered, prior to the said purchase and acquisition, by a mortgage executed by said New Orleans Pacific Railway Company to the Fidelity Insurance, Trust, and Safe Deposit Company of the city of Philadelphia, to secure an issue of 6 per cent. bonds, interest payable semi-annually, at the rate of \$20,000 per mile, limited to an aggregate issue of \$7,100,000, of which \$6,720,000 are now outstanding. Said mortgage was duly made July 31, 1880, and a mortgage supplemental thereto was made July 1, 1884, and both duly recorded in the parishes through which the said line passes in Louisiana.

(9) That on the 15th day of May, 1875, the said Texas and Pacific Railway Company made and executed a first mortgage upon the lines of the Eastern Division, being all the lines of said company between Fort Worth and the Louisiana State line, to secure an issue of \$8,000 per mile, of gold bonds, due and payable on the 1st day of March, 1905, bearing interest at the rate of 6 per cent. per annum, and payable semi-annually (said issue being limited to 4,193 bonds), on the first days of March and September, and the coupons have been regularly paid up to this time. The original trustees under said mortgage were Matthew Baird and Samuel M. Felton. On the death of Matthew Baird, George D. Krumphaar was appointed his successor, and the present trustees both reside in the city of Philadelphia, State of Pennsylvania.

(10) That on the 1st day of June, 1875, said Texas and Pacific Railway Company executed a mortgage upon the property last before mentioned, to secure an authorized issuance of bonds aggregating \$13,100,000, due the 1st day of June, 1905, and bearing interest at the rate of 6 per cent. per annum, by coupons due and payable in June and December of each year, all of which are now either outstanding or bearing interest in favor of the sinking fund. The trustees named in said mortgage were Matthew Baird and Samuel M. Felton; said Matthew Baird having died, George D. Krumphaar was appointed as his successor, and is now acting as such in conjunction

with the said Sammel M. Felton, both of whom reside in the city of Philadelphia, State of Pennsylvania. The two mortgages last above named also embrace and include, by their express terms, the leasehold line between the Texas State line and Shreveport.

(11) Said railway company, on the 15th day of May, 1875, made and executed its income and land grant mortgage upon all the lands granted by the State of Texas for the construction of that portion of the line called the Eastern Division, lying east of Fort Worth and west of the State line between Texas and Louisiana, being an aggregate authorized issue of \$8,908,000 in bonds, bearing interest at the rate of 7 per cent. per annum, payable annually, in July of each year, in currency or scrip, with William T. Walters and George D. Krumhaar as trustees, both of whom have since resigned, and Charles E. Satterlee and George Gould were appointed and are now acting as trustees in their stead, both of whom reside in the city and State of New York; and, on the 23d day of March, 1876, said company executed a supplementary mortgage to said income and land grant mortgage, creating a lien upon its railway and the income and profits thereof, east of Fort Worth and west of the Texas State line, as well as the net income of Shreveport leased line, subordinate to the first and the consolidated mortgage above mentioned, of which said supplementary mortgage the said George Gould and Charles E. Satterlee are now the trustees. Of the bonds authorized and issued under said original and supplementary mortgage, about eight millions are now outstanding, with a large amount of interest scrip, in lieu of interest accrued and not earned by the railway company, and consequently not payable in money by the terms of the mortgage.

(12) That the said railway company, on the 30th day of January, 1880, desiring to extend its lines westward from Fort Worth, made and executed its mortgage upon its lines west of Fort Worth, called the Rio Grande Division, to El Paso—not then incumbered by any lien—to secure an authorized issue of \$15,400,000 gold bonds, bearing interest at the rate of 6 per cent. per annum, interest payable in February and August of each year to the Fidelity Insurance, Trust, and Safe Deposit Company of Philadelphia, of which bonds there are now outstanding \$13,028,000.

(13) That on the 1st day of August, 1884, said railway company executed a general and terminal mortgage upon its terminal and other properties at New Orleans and elsewhere, including the Gordon coal mines and lands and tracks, supposed not to be covered by any other mortgage, said mortgage covering the entire property of said defendant company from New Orleans to El Paso, to secure an authorized issue of \$6,500,000 of bonds, called terminal bonds, due on the 1st day of October, 1905, bearing interest at the rate of 6 per cent. per annum, due and payable on the 1st days of April and October in each year, and of which authorized issue there are now outstanding, or held as collateral for the payment of other debts, bonds amounting to nearly, if not quite, \$3,000,000.

(14) In addition to the indebtedness above named, the said railway company is indebted to the State of Texas, on account of a special school fund loan to its predecessor, the Southern Pacific Railroad Company, about \$167,642, bearing interest at the rate of 6 per cent. per annum, in currency, the interest and sinking fund payable in May and November of each year, and which said amount is a statutory lien upon said property, formerly owned by the Southern Pacific Railroad Company, and of a dignity anterior to any of the mortgages aforesaid upon the part of the property of the said Texas and Pacific Railway Company.

(15) That the defendant, the Texas and Pacific Railway Company, is now the owner of about 1,487 miles of completed road, of which there is in the Eastern Division, between Texarkana, Shreveport, and Fort Worth, 532 miles; in the Rio Grande Division, between Fort Worth and El Paso, 619 miles; and in the New Orleans Division, between Shreveport and Goulsborough and New Orleans, 336 miles; that the funded indebtedness of the said company, under the several mortgages hereinbefore referred to, is as follows:

Bonds issued under the first mortgage of June 1, 1875, and a charge upon the Eastern Division, \$3,784,000, exclusive of the balance of issue now held by the sinking fund.

Bonds under the consolidated mortgage of June 1, 1875, a second charge upon the Eastern Division, \$9,316,000,

Income and land-grant bonds, a third charge upon the Eastern Division, and a first charge upon the land grant of the company, about \$8,300,000.

Bonds issued under the mortgage of January 20, 1880, and a first charge upon the Rio Grande Division, \$13,028,000.

Bonds issued under the mortgage of July 31, 1880, and a first charge upon the New Orleans Division, \$6,720,000.

Bonds under the mortgage of August 1, 1884, and a first lien upon certain terminal properties, and a general lien upon all the property subject to prior mortgages, issued and outstanding as collateral, about \$2,624,000.

That your orator, the Missouri Pacific Railway Company, is the owner in its own right of 995 miles of railroad, mostly located in the State of Missouri, and extending westwardly and northwestwardly from the city of Saint Louis to Kansas City and Omaha; that in addition to the lines of road owned by it, in its own right, your orator is the lessee, or by ownership of the stock or traffic arrangements, controls or operates 3,564 miles of road belonging to other companies, exclusive of the lines of the defendant company, which will be hereafter referred to. In said 4,559 miles are included the lines of the Saint Louis, Iron Mountain and Southern Railway Company and its branches, extending from Saint Louis southwestwardly to Texarkana and other towns in Arkansas, in all the 923 miles; the lines of the Missouri, Kansas and Texas Railroad Company, extending southwardly from Kansas City, through Kansas, the Indian Territory, and Texas, in all 1,386 miles; the lines of the International and Great Northern Railroad Company and its branches, extending from Laredo, on the Rio Grande, northeastwardly through Texas, in all 825 miles; the Central Branch of the Union Pacific Railway, in the State of Kansas, in all 388 miles. Since 1881 the Texas and Pacific Railway Company, by an arrangement made between it and the Missouri Pacific Railway Company, by which the lines of the Texas and Pacific Railway Company were to be, and in fact, have been operated, in conjunction with the Missouri Pacific and its leased and operated lines, under the belief that such operation would be for the mutual benefit of both companies, and that if any deficit should occur in the operation of the Texas and Pacific line, the complainant, the Missouri Pacific Railway Company, would advance the amount of same on the faith of the earnings of the Texas and Pacific Company, to be repaid out of such current earnings; but said earnings proved wholly insufficient for the purpose, and up to September 30, 1885, the date of the last account stated between the two companies, your orator had advanced, in the payment of operating expenses and interest on account of the Texas and Pacific Railway Company, the sum of \$1,688,015.79, of which the sum of \$1,130,783.60, is represented by four promissory notes bearing date the 1st of December, 1884, payable on demand, and the balance of \$557,143.19 is the balance stated in account current of September 30, 1885; since which time said indebtedness has still further increased to the date of filing hereof.

(16) The detail provisions of all said mortgages will fully appear by reference to copies of said mortgages herewith exhibited and made a part of this bill of complaint, and marked Complainant's Exhibits Nos. 1, 2, 3, 4, 5, and 6, respectively.

(17) Your orator further says that all the rolling-stock, equipment and appurtenances of every kind and character, owned by the said defendant company, are covered by the said mortgages herein set forth, and made exhibits hereto. All of which locomotives and cars form part of the general equipment of said railway company, which said railway company is, in fact, and under the laws of the State of Texas, and its charter by the laws of the United States, one single and indivisible railroad, except in so far as the mortgage existing upon the property of the New Orleans Pacific Railway Company may be a lien upon the equipment that belonged to and constituted part of that line of railway before its purchase by the Texas and Pacific Railway Company.

(18) Besides the large indebtedness of said railway company, secured by mortgages as aforesaid, it owes a large floating debt to the complainant, some of which are debts created and incurred for labor, material, repairs, and operating and managing expenses necessary for the conduct of its business, exceeding one million and a half of dollars.

(19) Your orator, further complaining, avers, that for several years past, said company's expenses have been so large that its surplus has been insufficient to pay the current interest on the mortgage bonds aforesaid, as it matured; and that the necessary maintenance and repairs of its property have been neglected in a false policy of abortive efforts to pay the interest upon its bonded debt as it matured; and while its current interest amounts annually to nearly \$1,900,000, exclusive of the income and land grant bonds, its net receipts will not, for the current year last past, nor the present year, equal \$1,000,000 per annum, so that a default, without borrowing money for the purpose of paying maturing interest, is inevitable.

(20) Your orator, further complaining, says that it is a creditor of the defendant company for large sums of money from time to time advanced, and up to the present time continually, at defendant's request, and for the purpose of protecting it against defaults, at various times, for proper equipment and improvements, that were necessary to be made in order to operate the road, as well as for necessary supplies, monthly payment for labor and current repairs, without which the defendant railway company could not have maintained its property in a condition for its operation; and, besides this, has advanced money from time to time to pay the current interest, which the said defendant company was unable to meet, in consequence of a deficiency in its earnings. Said sum, so advanced, will amount to \$1,500,000. The defendant company requested these advances and loans from time to time, and they were made by your orator on the promise of said defendant company, and reliance by your orator, to pay the same out of its current earnings; and the same were made in protection of

the corpus of the property, and in the interest of the holders of the various securities of said company, and on the faith and promise of said current earnings. And your orator further avers that the same was in equity and good conscience, and is, a charge alike upon the income and the property of said railway company. But the said defendant company has neglected and failed to pay said balance, or any part thereof; but, instead of so doing, has been applying its earnings to the payment of large amounts of interest falling due from time to time, in the vain effort to avert a default in the payment of its interest. The only security your orator has for the payment of these advances, in addition to its said equitable lien thereupon, is a collateral of \$2,000,000 of the bonds of said defendant company, known as the terminal bonds, and more particularly referred to in paragraph 13 of the bill, which bonds are secured by a general mortgage, covering the entire property of said company. And your orator is thereby a lien bondholder on the said entire property and premises of said defendant company, and that, without such relief as is herein sought, said bonds will be greatly depreciated in value, and no adequate remedy for the protection, security, and payment of the same. That the trustee, in the mortgage securing said bonds, is the Fidelity Insurance, Trust and Safe Deposit Company, a citizen of the State of Pennsylvania, which is out of the jurisdiction of this court; but it will be made defendant to this bill, if it appears within this jurisdiction, or as soon as the same can be done under the practice of the court.

And your orator further avers that the defendant company has no property known to your orator upon which it could levy an execution, even if it should recover judgment, except the property aforesaid, which is subject to mortgages in amount as much or more than the present value of the property.

(21) Your orator further avers that the roadway of said defendant company is in bad condition, and needs a large amount of steel rails to replace iron rails already worn out, and needs an expenditure of large sums of money to replace bridges, which have for a long time been used, and which are of wood, and most of which rest upon wooden substructures; in fact, from the best estimates that your orator has been able to have made by engineers and other experts, the road-bed of said railway of the defendant company cannot be put in first-class condition without the expenditure of such sums as will still further disable it from paying its fixed charges; and with its property mortgaged as it is, up to if not exceeding its full value, it is wholly impracticable to encumber it with any further liens, as the securities thus issued must be sold at ruinous discounts to realize cash.

(22) Your orator believes, and so avers, that the railway lines aforesaid of the defendant company, if put in first-class condition, would, without doubt, have an earning capacity and a traffic that would enable said company to pay off its entire floating indebtedness, and at the same time meet the fixed charges created by its mortgages without difficulty; but that it is essential, to reach this result, that the whole of its property should remain intact, and not be segregated; but that if the three separate divisions of this property should be foreclosed under the divisional mortgages resting upon each, which your orator believes and fears will be done, that its value would be so impaired as to cut off entirely the possibility of the payment of the floating indebtedness now existing, or any part thereof; but that if said railway shall be administered under the orders of the court, as a whole, and placed in good condition, it might be saved from foreclosure entirely, and satisfy the equitable indebtedness thereon to your orator and all others. But if this desirable result should not be realized, yet it is almost certain that after the property shall be improved, as herein suggested, and then sold as an entirety, and under proper proceedings, your orator believes that the proceeds of the sale would be ample to discharge all incumbrances created by said liens and the whole of the floating indebtedness of said company; but that, to reach this result, it is essential that said railway be retained in a condition of unimpaired efficiency by the expenditure of a necessary portion or the whole of its revenues, to improve its road-bed and maintain its equipment.

(23) Your orator further avers that the whole of the floating indebtedness before mentioned has been incurred within the last few years, and much of it during the current year, and up to the present time, and that a very considerable portion of it was for new rails and ties to maintain the road in running order, and a portion, as before stated, was advanced to pay current interest, and other portions to pay current wages of employes of the company.

(24) Your orator believes, and indeed has no doubt, that unless restrained by the interposition of this honorable court, the current earnings of the railway company, and all of its available, valuable resources will be appropriated by its officers to pay current interest on its mortgage bonds, in order to prevent the trustees of the various mortgage bonds from entering upon and taking possession of the properties; and your honors can readily see, from an inspection of the mortgages aforesaid, that if said property is taken possession of by the various trustees in the divisional mortgages, it will be segregated into three several parts, although the property of the same corporation.

(25) Your orator further avers that it is remediless, under existing conditions, for the collection of what is due it, except through the interposition of this honorable court, in its power to appoint a receiver of the whole property aforesaid, which said receiver shall be authorized to administer said property, under the orders of the court, so as to insure the safety and utmost efficiency in the earning capacity of said lines, by an application of the current earnings thereto, and to apply, under the orders of the court, the balance that may remain, to the payment of your orator's debt, and such other claims as may be similarly situated, or so much thereof as to the court may seem equitable; and that the said receiver have under his administration the whole of said line, and maintain it in good condition and until such time as the rights of all parties can be heard and determined, and the property placed upon a basis of meeting all the just and equitable demands against said company.

(26) Your orator avers that it is not only the interest of this complainant, but of all other creditors of like grade, as well as a matter of vital interest to all of the lien creditors of defendant company, that a receiver should be appointed for the purpose of administering said property as an entirety, and not permit the same to go into the hands of the trustees of the divisional mortgages, and thus segregate the entire property of the said company. And your orator is advised, and therefore avers, that the trustees of a majority of the mortgages upon the line of the defendant company acquiesce in the appointment of such receiver, believing that the same will be to their common advantage and benefit; but that unless such appointment is made said trustees will respectively proceed to take active steps for the assertion of their legal rights to possession of the separate parts of said road or to foreclosure immediately on default in the interest on their bonds, which default will certainly take place at the approaching maturing thereof.

Wherefore your orator, showing that it is a creditor of the Texas and Pacific Railway Company to the amount of \$1,688,015.79, and additional sums, to date not yet definitely ascertained, and that the same is an equitable lien on all the earnings of said company and all its property, and is secured by the said two millions of bonds issued under the said general and terminal mortgage, and that the said Texas and Pacific Railway Company is an insolvent corporation, owning 1,487 miles of road, with mortgages thereupon to the amount of \$43,340,000, the interest whereupon it is unable to meet; that the line of road is out of repair and in so dangerous a condition that the said company cannot perform its duties as carrier with safety, expedition, and convenience to the public; that judgments have been obtained against said corporation under which the assets are liable to levy and sale; and whereas your orator has no adequate remedy at law, comes to your honorable court and prays that your orator have leave to make all of said trustees in the several mortgages hereinbefore named defendants hereto, on their coming into the jurisdiction of this court, or in accordance with the practice in equity of said court, or that they have leave to become parties hereto in assertion of their rights and interest, and that all persons holding claims of like character with your orator may appear herein for their interests, and on the hearing of this cause for equitable relief, as follows:

First. That your orator be found to be a creditor of the Texas and Pacific Railway Company, and the amount of the indebtedness to your orator be fixed and determined and its lien upon the earnings and the property of the Texas and Pacific Railway Company be declared.

Second. That the amount of all claims upon the lines and other property of the Texas and Pacific Railway Company be determined, and the priority and extent of their lien be declared.

Third. That your honorable court, by a master commissioner, or such other officer as you may deem proper, shall cause to be sold the railroad, franchises, and other property of the Texas and Pacific Railway Company, for the purpose of satisfying the claim of your orator and the other creditors of the company, as their interest may appear.

Fourth. That a receiver be appointed to take into his possession, custody, and control all the property, rights, and franchises, money, books, accounts, lands, and premises of every kind and description, of the said defendant company, or to which it has right in Louisiana and Texas, and wherever situated, and to manage, operate, and maintain the lines of the said defendant company, with authority to employ such agents and servants as may be necessary to preserve the property of the defendant company, and keep it open as a public highway for the transportation and carriage of passengers and freight by steam power, as aforesaid, and for the proper performance of, and discharge of, its business as a railway company.

Fifth. That an injunction issue, temporary until hearing, and perpetual thereafter, enjoining and restraining the Texas and Pacific Railway Company, its agents, servants, and employees, and all persons or corporations in any manner claiming under or through the said Texas and Pacific Railway Company, from obstructing or in any wise interfering with the receiver appointed by your honorable court in possession of the railroad and property of said company.

Sixth. General and other relief as may be appropriate in the premises.

May it please your honors to grant to your orator the writ of subpoena to be directed to said defendant, the Texas and Pacific Railway Company, thereby commanding it, at a certain day, and under a certain pain therein to be mentioned, personally to be and appear before your honorable court, and then and there full, true, direct, and perfect answer make to all and singular the premises, oath thereto being waived, and further to stand to, perform, and abide such further order, direction, and decree therein as to your honors shall seem meet.

And your orator will ever pray, &c.

W. P. BALLINGER,

Solicitor and of Counsel for the Missouri Pacific Railway Company.

EASTERN DISTRICT OF LOUISIANA,

City of New Orleans:

I, William W. Finley, on oath state that I am the agent of the complainant, the Missouri Pacific Railway, in the preceding bill; that I have heard the said bill read, and know the contents thereof; and that on my best knowledge, information, and belief the allegations therein contained are correct and true.

And that I am authorized to make this affidavit.

W. W. FINLEY.

Sworn to and subscribed before me this 15th December, 1885.

[SEAL.]

T. McC. HYMAN,
Deputy Clerk.

Filed December 15, 1885.

Petition of William T. Walters and W. T. Walters & Co.

THE MISSOURI PACIFIC RAILWAY COMPANY	} No. 11181.
<i>versus</i>	
THE TEXAS AND PACIFIC RAILWAY COMPANY.	

To the honorable the judges of the United States circuit court in and for the fifth circuit and eastern district of Louisiana:

The petition of William T. Walters and W. T. Waters & Co., of Baltimore, Md., respectfully shows to your honors:

That heretofore, on or about the 15th day December, 1885, the above-named Missouri Pacific Railway Company, as complainants, filed their bill in equity against the Texas and Pacific Railway Company, as defendants, in the circuit court of the United States for the eastern district of Louisiana, and that thereupon, on the following mentioned day, to wit, on the 16th day of December, 1885, in accordance with the prayer of the said bill, John C. Brown and Lionel A. Sheldon were appointed temporary receivers of the property of the said defendant, the Texas and Pacific Railway Company. That, *inter alia*, the relief asked by said complainants is that the amount of all claims upon the lines and other property of the Texas and Pacific Railway Company be determined, and the *pro rata* extent of their lien be declared, and that the said railroad, franchises, and other property of the Texas and Pacific Railway Company be sold for the purpose of satisfying the alleged claim of complainants and the other creditors of the company as their interest may appear.

That your petitioners are, and have been for a long time, owners of the stock of the Texas and Pacific Railway Company, to the par value of \$415,800. Petitioners further say, that the Texas and Pacific Railway Company, defendant, do not intend to defend the said action, but have appeared in open court and by their answer openly admitted all the facts set forth in the said bill of complaint, and have acquiesced and agreed to the relief asked by the complainants in their said bill, and that they do not intend to contest or defend said action, although requested so to do. And petitioner is further advised and believes that the defendant is not indebted to the complainants in the sum mentioned in the bill, nor in any other sum, and that the claim sued upon is not a valid one in law or equity.

Your petitioner further states, that he is advised and believes that it is his duty and interest to intervene as defendant in said suit and to become a party thereto, to the intent that he may present to this honorable court his rights, interests, and equities in the premises, and to be heard as to the disposal of the property of the defendant, and that unless your petitioner is allowed to appear and set forth his defense,

and be heard in this suit, great injustice will be committed, and his rights in the property hazarded and sacrificed.

Wherefore, upon the facts aforesaid, and upon the bill aforesaid, your petitioner prays this honorable court that he may be made a party defendant in said suit, that your petitioner may be allowed to appear as defendant in said suit, and answer and demur to said bill in behalf of himself and all other persons similarly interested, and to take such other and further action as defendant in said suit may be advised, and that your petitioner have such other and further relief as may be just. And your petitioner will ever pray, &c.

WALTER D. DENE GRE,
Solicitor for petitioner.

JOHN R. DOS PASSOS,
BAYNE & DENE GRE,
Of counsel.

UNITED STATES OF AMERICA,
Eastern District of Louisiana :

Walter D. Denegre, being duly sworn, says that he is attorney for the above-named petitioners, William T. Walters and W. T. Walters & Co., and that he has read the foregoing petition, knows the contents thereof, and the same is true, except as to the matters therein stated to be alleged on information and belief, and as to these matters he believes the same to be true, and that the said William T. Walters and all the members of the firm of W. T. Walters & Co. are absent from this State.

WALTER D. DENE GRE.

Sworn to before me this 8th day of January, 1886.

T. MCC. HYMAN,
Deputy Clerk.

Filed January 9, 1886.

ORDER.

This petition may be filed, but no action will be had thereon. Petitioner's right, on showing that defendant has a defense which it refuses to make, to apply to defend the interests of stockholders is reserved.

DON A. PARDEE,
Judge.

Entered and filed January 9, 1886.

Petition of Henry S. Marlor.

THE MISSOURI PACIFIC RAILWAY COMPANY }
versus } No. 11181.
THE TEXAS AND PACIFIC RAILWAY COMPANY. }

To the honorable the judges of the United States circuit court in and for the fifth circuit and eastern district of Louisiana :

The petition of Henry S. Marlor, of Brooklyn, of the State of Connecticut, respectfully shows to your honors:

That heretofore, on or about the 15th day of December, 1885, the above-named Missouri Pacific Railway Company, as complainants, filed their bill in equity against the Texas and Pacific Railway Company, as defendants, in the circuit court of the United States for the eastern district of Louisiana; and that thereupon, on the following-mentioned day, to wit, on the 16th day of December, 1885, in accordance with the prayer of the said bill, John C. Brown and Lionel A. Sheldon were appointed temporary receivers of the property of the said defendants, the Texas and Pacific Railway Company. That, *inter alia*, the relief asked by said complainants is that the amount of all claims upon the lines and other property of the Texas Pacific and Railway Company be determined and the *pro rata* extent of their lien be declared, and that the said railroad, franchises, and other property of the Texas and Pacific Railway Company be sold for the purpose of satisfying the alleged claim of complainants and the other creditors of the company as their interest may appear.

That your petitioner is, and has been for a long time, the holder and owner of bonds issued by the said defendant, the Texas and Pacific Railway Company, and known as the land-grant and income bonds, which said bonds are a lien upon certain lands of said company, and also upon the eastern division of said road, to the extent of \$320,000, which said land-grant bonds are particularly referred to and set forth in the bill filed herein. Your petitioner further shows to the court that the trustees of

said land-grant mortgage are Charles E. Satterlee and George Gould, who both reside in the city and State of New York, and who, as your petitioner is informed and believes, refuse and neglect to appear in said action and to defend the same, but who, on the contrary, have expressly acquiesced in the action of the complainants herein, and will not and do not intend to interpose any defense to the said action, although requested so to do.

And petitioner is further advised and believes that the defendant is not indebted to the complainants in the sum mentioned in the bill, nor in any other sum, and that the claim sued upon is not valid in law or equity.

Your petitioner further states that he is advised and believes that it is his duty and interest to intervene as defendant in said suit, and to become a party thereto, to the intent that he may present to this honorable court his rights, interests and equities in the premises, and to be heard as to the disposal of the property of the defendant; and that, unless your petitioner is allowed to appear and set forth his defense and be heard in this suit, great injustice will be committed and his rights in the property hazarded and sacrificed.

Wherefore, upon the facts aforesaid and upon the bill aforesaid, your petitioner prays this honorable court that he may be made a party defendant in said suit, that your petitioner may be permitted and allowed to appear as defendant in said suit, and answer and demur to said bill in behalf of himself and all other persons similarly interested, and to take such other and further action as defendant in said suit may be advised; and that your petitioner have such other and further relief as may be just. And your petitioner will ever pray, &c.

WALTER D. DENEGRE,
Solicitor for Petitioner.

JOHN R. DOS PASSOS,
BAYNE & DENEGRE,
Of Counsel.

UNITED STATES OF AMERICA,
Eastern District of Louisiana:

Walter D. Denegre, being duly sworn, says that he is attorney for the above-named petitioner, Henry S. Marlor, and that he has read the foregoing petition, knows the contents thereof, and the same is true, except as to the matters therein stated to be alleged on information and belief, and as to these matters he believes the same to be true, and that the said Henry S. Marlor is absent from this State.

WALTER D. DENEGRE.

Sworn to before me this 8th day of January, 1886.

T. McC. HYMAN,
Deputy Clerk.

Filed January 9, 1886.

ORDER.

Ordered that the petitioners, through their solicitors, be allowed to enter appearance in this case, and that this petition be filed, with leave to file bill of intervention, if so advised, but to stand without other action or order until it shall appear to the court that the trustees of the mortgage securing petitioners' bonds neglect to defend the rights of all the bondholders represented by them, or until it shall appear that petitioners have some equity not common to the majority of bondholders.

The clerk will notice petitioners' solicitors and advise them by printed copy of orders as passed in the case.

DON A. PARDEE,
Judge.

Entered and filed January 9, 1886.

Petition of William T. Walters.

THE MISSOURI PACIFIC RAILWAY COMPANY	} No. 11181.
<i>versus</i>	
THE TEXAS AND PACIFIC RAILWAY COMPANY.	

To the honorable the judges of the United States circuit court in and for the fifth circuit and eastern district of Louisiana:

The petition of William T. Walters, of Baltimore, Md., respectfully shows to your honors:

That heretofore, on or about the 15th day of December, 1885, the above-named Missouri Pacific Railway Company, as complainants, filed their bill in equity against

the Texas and Pacific Railway Company, as defendants, in the circuit court of the United States for the eastern district of Louisiana; and that thereupon, on the following mentioned day, to wit, on the 16th day of December, 1885, in accordance with the prayer of the said bill, John C. Brown and Lionel A. Sheldon were appointed temporary receivers of the property of the said defendant, the Texas and Pacific Railway Company. That, *inter alia*, the relief asked by said complainants is, that the amount of all claims upon the lines and other property of the Texas and Pacific Railway Company be determined, and the pro rata extent of their lien be declared, and that the said railroad, franchises, and other property of the Texas and Pacific Railway Company be sold for the purpose of satisfying the alleged claim of complainants, and the other creditors of the company, as their interest may appear. That your petitioner is, and has been for a long time, the owner and holder, for himself and in trust, of bonds issued by the defendant, the Texas and Pacific Railway Company, known as the New Orleans and Pacific bonds, to the extent of two hundred and sixty-four thousand, which said New Orleans and Pacific bonds are particularly referred to and set forth in the bill filed herein.

Your petitioner further shows to the court that the trustee of said mortgage is the Fidelity Insurance, Trust, and Safe Deposit Company, of Philadelphia, Pa., and who, as your petitioner is informed and believes, refuses and neglects to appear in said action and to defend the same; but who, on the contrary, has expressly acquiesced in the action of the complainants herein, and will not and does not intend to interpose any defense to the said action, although requested so to do.

And petitioner is further advised and believes that the defendant is not indebted to the complainant in the sum mentioned in the bill, or in any other sum, and that the claim sued upon is a valid one in law or equity.

Your petitioner further states that he is advised and believes that it is his duty and interest to intervene as defendant in said suit and to become a party thereto, to the intent that he may present to this honorable court his rights, interests, and equities in the premises, and to be heard as to the disposal of the property of the defendant; and that unless your petitioner is allowed to appear and set forth his defense and be heard in this suit, great injustice will be committed and his rights in the property hazarded and sacrificed.

Wherefore, upon the facts aforesaid and upon the bill aforesaid, your petitioner prays this honorable court that he may be made a party defendant in said suit, that your petitioner may be allowed to appear as defendant in said suit, and answer and demur to said bill in behalf of himself and all other persons similarly interested, and to take such other and further action as defendant in said suit may be advised; and that your petitioner have such other and further relief as may be just. And your petitioner will ever pray, &c.

WALTER D. DENEGRE,
Solicitor for petitioner.

JOHN R. DOS PASSOS,
BAYNE & DENEGRE,
Of Counsel.

UNITED STATES OF AMERICA,
Eastern District of Louisiana:

Walter D. Denegre, being duly sworn, says that he is attorney for the above-named petitioner, William T. Walters, and that he has read the foregoing petition, knows the contents thereof, and the same is true, except as to the matters therein stated to be alleged on information and belief, and as to these matters he believes the same to be true, and that the said William T. Walters is absent from this State.

WALTER D. DENEGRE.

Sworn to before me this 8th day of January, 1886.

T. McC. HYMAN,
Deputy Clerk.

Filed January 9, 1886.

ORDER.

Ordered that the petitioners, through their solicitors, be allowed to enter appearance in this case, and that this petition be filed, with leave to file bills of intervention, if so advised; but to stand without other action or order until it shall appear to the court that the trustees of the mortgage securing petitioner's bonds neglect to defend the rights of all the bondholders represented by them, or until it shall appear that petitioners have some equity not common to the majority of bondholders.

The clerk will notice petitioner's solicitors and advise them by printed copy of orders as passed in the case.

DON A. PARDEE,
Judge.

Entered and filed January 9, 1886.

Petition of Thomas Denny & Co.

THE MISSOURI PACIFIC RAILWAY COMPANY }
versus } No. 11,181.
 THE TEXAS AND PACIFIC RAILWAY COMPANY. }

To the honorable the judges of the United States circuit court in and for the fifth circuit and eastern district of Louisiana :

The petition of Thomas Denny & Co., of the city of New York, respectfully shows to your honors :

That heretofore, on or about the 15th day of December, 1885, the above-named Missouri Pacific Railway Company, as complainants, filed their bill in equity against the Texas and Pacific Railway Company, as defendants, in the circuit court of the United States for the eastern district of Louisiana; and that thereupon, on the following mentioned day, to wit, on the 16th of December, 1885, in accordance with the prayer of the said bill, John C. Brown and Lionel A. Sheldon were appointed temporary receivers of the property of the said defendant, the said Texas and Pacific Railway Company. That, *inter alia*, the relief asked by said complainants is that the amount of all claims upon the lines and other property of the Texas and Pacific Railway Company be determined and the *pro rata* extent of their lien be declared, and that the said railroad, franchises, and other property of the Texas and Pacific Railway Company be sold, for the purpose of satisfying the alleged claim of complainants and the other creditors of the company as their interest may appear. That your petitioner is, and has been for a long time, the holder of two hundred and fifty thousand of the bonds of the Texas and Pacific Railway Company, known as the Rio Grande Division bonds, which said bonds are particularly referred to and set forth in the bill filed herein.

Your petitioner further shows to the court; that the trustees of the said land grant mortgage are the Fidelity Insurance, Trust and Safe Deposit Company, of Philadelphia, Pa., and who, as your petitioner is informed and believes, refuses and neglects to appear in said action, and to defend the same; but who, on the contrary, have expressly acquiesced in the action of the complainants herein, and will not, and do not intend to, interpose any defense to the said action, although requested so to do.

And petitioner is further advised and believes that the defendant is not indebted to the complainant in the sum mentioned in the bill, or in any other sum, and that the claim sued upon is not a valid one in law or equity.

Your petitioner further states that he is advised and believes that it is his duty and interest to intervene as defendant in said suit, and to become a party thereto to the intent that he may present to this honorable court his rights, interests, and equities in the premises, and to be heard as to the disposal of the property of the defendant; and that, unless your petitioner is allowed to appear and set forth his defense and be heard in this suit, great injustice will be committed and his rights in the property hazarded and sacrificed.

Wherefore, upon the facts aforesaid, and upon the bill aforesaid, your petitioner prays this honorable court that he may be made a party defendant in said suit, that your petitioner may be allowed to appear as defendant in said suit, and answer and demur to said bill in behalf of himself and all other persons similarly interested, and to take such other and further action as defendant in said suit may be advised; and that your petitioner have such other and further relief as may be just, and your petitioner will ever pray, &c.

WALTER D. DENEGRÉ,
Solicitor for Petitioner.

JOHN R. DOS PASSOS,
 BAYNE & DENEGRÉ,
Of Counsel.

UNITED STATES OF AMERICA,
Eastern District of Louisiana :

Walter D. Denegree, being duly sworn, says that he is the attorney for the above-named petitioner, Thomas Denny & Co., and that he has read the foregoing petition, knows the contents thereof, and the same is true, except as to the matters therein stated to be alleged on information and belief, and as to these matters he believes the same to be true, and that all the members of the firm of Thomas Denny & Co. are absent from this State.

WALTER D. DENEGRÉ.

Sworn to before me this 8th day of January, 1886.

Filed January 9, 1886.

T. MCC. HYMAN,
Deputy Clerk.

ORDER.

Ordered that the petitioners, through their solicitors, be allowed to enter appearance in this case, and that this petition be filed with leave to file bills of intervention, if so advised, but to stand without other action or order until it shall appear to the court that the trustees of the mortgage securing petitioners' bonds neglect to defend the rights of all the bondholders represented by them, or until it shall appear that petitioners have some equity not common to the majority of bondholders.

The clerk will notice petitioners' solicitors and advise them by printed copy of orders as passed in the case.

Entered and filed January 9, 1886.

DON A. PARDEE,
Judge.

Amendments to complainant's bill.

THE MISSOURI PACIFIC RAILWAY COMPANY }
versus } No. 11,181.
THE TEXAS AND PACIFIC RAILWAY COMPANY. }

The complainant, the Missouri Pacific Railway Company, with leave of the court, files an amendment to its original bill of complaint in the above cause, filed in this court on the 15th December, 1885, as follows:

That the statement in section 20 of its said original bill, as follows, to wit: "The only security your orator has for the payment of these advances, in addition to its said equitable lien thereupon, is a collateral of \$2,000,000 of the bonds of said defendant company, known as the Terminal Bonds, and more particularly referred to in paragraph 13 of the bill, which bonds are secured by a general mortgage covering the entire property of said company," was made by mistake and inadvertence, and without reference, at the time, to the record of the accounts and dealings between the parties, and the same is now hereby amended and corrected so as to state, that in addition to said \$2,000,000, or about that amount, of said bonds, your orator, on and ever since the 16th day of October, 1884, has held and now holds, as collateral security for all indebtedness of said defendant company, the Texas and Pacific Railway Company, then existing, or which should afterwards arise or exist, to your orator, the following bonds, stocks, and securities, expressly hypothecated, pledged, and delivered by said defendant company to your orator therefor, to wit:

Sixty-six thousand nine hundred and two shares of stock in the said New Orleans and Pacific Railway Company.

Thirty bonds, numbered from 9289 to 9318, inclusive, each for \$1000, of the said defendant Texas and Pacific Company, known as the consolidated bonds, issued under said mortgage of June 1, 1875, with coupons attached.

Seventy-one bonds of the town of Sherman, Grayson County, Texas, with coupons attached, amounting to \$18,396.

Bonds of Fordoche and Gross Tête Special Levee District Company, and coupons attached, amounting to \$10,400.

Interest scrip of said defendant company, amounting to \$14,280.

Fractional bond scrip of said company, amounting to \$625.

Certificate of 6,500 shares of stock in the Memphis and Little Rock Railway Company.

And for further amendment your orator says, that all the collaterals which it holds for the indebtedness owing to it by the said defendant company are wholly insufficient to pay the same.

And for further amendment of its said original bill, your orator omits and strikes from said bill the words in the 15th section or paragraph of said bill, as follows:

"Exclusive of the lines of the defendant company, which will be hereafter referred to."

Also by omitting and striking out the word "conjunction," in the same section or paragraph, and inserting, in place thereof, the word harmony.

Your orator also amends its said bill, by amending and adding to the prayer of said bill, as follows:

That the court shall establish the lien of your orator on all the said securities, so shown by your orator to be held by it as collateral to the indebtedness of the said defendant Texas and Pacific Railway Company, to your orator, and shall order sale of the same by proper proceedings therefor, and that the proceeds be applied to the payment of the indebtedness found due to your orator by said defendant.

The said amendments to be taken as correcting and part of the original bill of your orator.

W. P. BALLINGER,
Solicitor for Complainant.

Filed February 2, 1886.

N. M. LOVIN recalled and examined.

By the CHAIRMAN. Question. On yesterday, I will state, the committee decided not to exact from Mr. Lovin the name of the secretary of his local assembly, and I will further state that Mr. Lovin agreed, through the representative of the Knights of Labor who is accompanying this committee (Mr. Litchman), to present to it the original of the documents a copy of which was made part of the record yesterday. The committee is now in possession of the originals, and also of a communication from Mr. Martin Irons, which I will read, as it has not been put in evidence by copy. [Exhibiting papers to witness.] These are correct, are they, Mr. Lovin?—A. These are all the originals.

Q. The first is a letter dated Marshall, Tex., February 17, 1886, addressed by C. A. Hall to the grievance committee of Local Assembly No. 4959. On this first document I find the following indorsements: "Will you sustain your executive board in demanding the reinstatement of our brother. Call special meeting, if necessary, and take a secret ballot. Telegraph results by yes or no. Martin Irons, chairman executive board, Marshall, Tex." Who was the brother referred to?—A. C. A. Hall.

Q. Upon the second document, which purports to be a report of the local grievance committee on C. A. Hall's grievance, I find this indorsement: "Will you sustain your executive board in demanding the reinstatement of Brother C. A. Hall. Take a secret ballot. Telegraph results, yes or no, to Martin Irons, chairman executive board, Marshall, Tex." The third is a hectograph circular dated Sedalia, Mo., February 1, 1886. I will now read these papers.

The papers are introduced here in order:

MARSHALL, TEX., February 17, 1886.

To Grievance Committee of L. A. 4959:

BROTHERS: This evening, about 4.30 p. m., I received a letter from Mr. Crosby, gen. foreman. I went to him and asked him the cause of my discharge. He stated that I was absent from the shops and that he wanted a man (a foreman) that the men would be afraid of, and that he was going to make a general "clean out." I will further state that I had the permission of Mr. Crosby to be absent from the shops for two or three days to be in attendance before the D. A. as a delegate from 4959.

C. A. HALL.

(On the seal:) District Assembly, established Sept. 27, 1885. Gould southwest system, Sedalia, Mo. Ex æquo et bono. No. 101.

(Indorsement): Will you sustain your executive board in demanding the reinstatement of our brother. Call special meeting, if necessary, and take a secret ballot. Telegraph result by yes or no.

MARTIN IRONS,

Chairman Executive Board, Marshall, Tex.

MARSHALL, TEX., February 17, 1886.

The following is the report of the local grievance committee on the above grievance: We, your committee, beg leave to report on the case of Brother Hall as follows: We waited on Mr. Crosbie, G. F. C. D., and asked him his reasons for discharging Brother Hall, and by what authority he discharged the brother. He replied that he discharged him on his own responsibility for incompetency and absence from the shops without leave. Your committee can prove by Brother Thorburn, of De Soto, or that Brother Hall was granted leave of absence by Mr. Crosbie. Mr. Crosbie denies having had any conversation with Brother Hall on the matter. Your committee proposed to show by the books that Brother Hall had done more work than any other man who had held the same position. Your committee demanded that Brother Hall be reinstated on or before the 25th day of February, 1886. Mr. Crosbie refused to reinstate him unless ordered by higher authority so to do.

ROBT. HANSON,
GEO. BIBB,
J. W. LITTLE,
W. L. DEARING,

Committee.

(On the seal:) District Assembly, established September 27, 1885. Gould southwest system, Sedalia, Mo. Ex æquo et bono. No. 101.

(Indorsement): Will you sustain your executive board in demanding the reinstatement of Brother C. A. Hall?

Take a secret ballot, telegraph result—yes or no—to

MARTIN IRONS,

Chairman, Executive Board, Marshall, Tex.

SEDALIA, MO., February 1, '86.

To the Officers and Members of L. A. No. 4224 :

BROTHERS: Since you placed me in position as chairman of your executive board, I have particularly noticed that the railroad officials will only treat with your executive board as railroad employes, thus emphatically ignoring your organization. This was brought to my notice in my first conference with said officials at Sedalia, but as it was near the meeting of your D. A. at Saint Louis, I said nothing about it and very little at the meeting of the D. A., as I wished to see if the same policy would be carried out by the railroad officials at said city, and I am sorry now to say that the said policy was more rigidly adhered to. Again, said officials claim that the contract entered into by the railroad company and employes last March only covers shop hands, thus leaving out in the cold a set of men who did, at least, as much as any of us to carry the strike at that time to a successful termination, and a set of men, who, from the smallness of their pay, need more protection than shop hands, namely, yard and section men. Now, in my humble judgment, the easiest way to adjust this trouble is for us to demand a recognition of our organization by the railroad officials. If we don't do this to protect the class of men already named, we must demand a new contract, which will be attended by the same risks without having as great a beneficial result. This, in my judgment, has got to be done some time. Is it not as well to do it first as last? I therefore, as chairman of your executive board, request that the M. W. of your assembly immediately order a secret ballot to be taken, said ballot to be sealed and sent to me immediately, a separate ballot to be taken on the two following questions:

First question to be put by the Master Workman: Will you sustain your executive board should they demand the railroad company or officials to recognize your executive board as members of the Knights of Labor and not simply as railroad employes?

Question No. 2. Will you sustain your executive board should they make the demand that the wages paid unskilled labor on any part of the Gould Southwest system shall not be less than \$1.50 per day?

Should you sustain your executive board in making these demands they will carry with them a great many other grievances, now before said board, such as regards apprentices, blacksmith helpers, and many others. To save time in your assembly you might have both questions put on one ballot, in this form:

Questions first, second. Let the member voting put in a line with each question his answer, yes or no.

Hoping you will attend to this as early as possible (of course only railroad employes vote on these questions),

I remain, yours, fraternally,

MARTIN IRONS,

Chairman Executive Board, District No. 101.

The CHAIRMAN. I will say in justice to Mr. Lovin that these papers were voluntarily presented to me by him this morning, according to the promise made yesterday evening. We did not exact from him an answer, because it is against the rules of his organization. We do not care who is the secretary. All we wanted was these papers, and having got them we have no further questions to ask Mr. Lovin.

LIONEL A. SHELDON sworn and examined.

By the CHAIRMAN :

Question. You have examined this copy of testimony (presenting to witness copy of his statement before the special commissioner appointed by the United States court to investigate these troubles).—Answer. Yes, sir; it is very dimly printed, but I want to say, as well as I can read it, that it is correct.

The testimony referred to was here read :

Testimony before Commissioner.

Q. Please state your understanding of the causes that led to this strike on the Texas and Pacific Railway about the first of March.—A. Well, the only pretext for the strike that I know of is the discharge of one C. A. Hall, of Marshall. I have been actively engaged in connection with the road and on the road since the last of December, 1885. I have been over the road several times, and have seen a large number of the employes of all grades. The men have been paid promptly and fully in accordance with the wages they were receiving when the receivers took possession of the road. It was agreed upon by Governor Brown and myself that we would not discharge any of the employes, except those whose services we found were not necessary, and such as might not properly discharge their duties. This view of ours was promulgated, and I believe was nearly universally known to our officers and em-

ployée. There has been no application to my knowledge for a reduction of time by any of the men, and no application for an increase of wages, except Captain Dowty, who is in charge of the transfer boat at New Orleans, presented a request to me, and upon investigation, I believed it just and approved of it, and that increase was made. Some of the employés on the same boat also asked for an increase, which I suppose has been granted. I am not entirely sure about that.

My knowledge of the difficulty which arose at Marshall is this: On the last Tuesday in February I received a dispatch signed Martin Irons, from Marshall, and directed to New Orleans, asking that I come immediately to Marshall and settle difficulties, but did not state what those difficulties were.

I replied, "I will leave to-morrow for Dallas, and will pass through Marshall Thursday, when you can see me." At that time I supposed Martin Irons was one of our employés. I started and arrived at Marshall at the time named in my dispatch. In the meantime I was informed that Martin Irons was not an employé of ours. When I arrived at Marshall a man calling himself Martin Irons, and two others, came to my car and said they had a grievance that they wanted to present. I asked Martin Irons if he was an employé of the receivers; he said he was not. I asked him where he lived; he said he lived in Sedalia, Mo., and that he was chairman of some committee of the Knights of Labor. I asked him what he had to do with our business. Well, he said he was supervising the business of the Knights of Labor, and that Hall was a Knight of Labor. I told him that I could not settle that question with him or with any other stranger, and said that I should see Mr. Hall. He answered that Mr. Hall was out on the platform and that I could see him. I told him that I was in great haste to get to Dallas on some very important business, and to investigate this matter I had to hear both sides, and that I had then no time. I told them that when I got to Dallas I would lay the matter before Governor Brown and Colonel Noble, the general agent, and let them attend to it, as I was there with the master commissioner on important business connected with the court, and which required my personal attention. I stated the matter to Governor Brown and Colonel Noble. Governor Brown was then quite ill. On Sunday morning, the last day of February, I left Dallas for New Orleans, arriving at Marshall at four or five o'clock in the afternoon. Irons and the other two men came to the car again. I told them that I had mentioned the matter to Governor Brown, who was ill at the time, and that I had been busily engaged, night and day, in taking testimony, and had had no time to attend to it. I told them in consequence of Governor Brown's illness and pressing business the matter had not yet been decided. I said to them, "Let Hall go to Dallas, don't send the committee; if you are his friends there will be no objection to your going along with him." Then Irons asked if I would give them a pass for Hall and two others, to Dallas and return. I, not having any blanks with me, directed Division Superintendent Thorne to give them passes, and they agreed to go to Dallas on the first train, which left about four o'clock the following morning, and I went on to New Orleans. The next I heard of the strike was a telegram, saying that they had walked out of the shops on the first day of March, at three o'clock in the afternoon. Some days later, about nine o'clock in the morning, I found on my table a dispatch from Gouldsboro', La., from some persons signed "Committee K. of L.," wanting to know if I would arbitrate difficulties. Before I really could consider the matter another dispatch came saying they had struck at Gouldsboro'. They interfered with our trains, and through the United States marshal, eight or ten of the strikers came to my office to see me. I think that was on the 12th or 13th of March; I am not certain about the day. They asked me if I would redress grievances. I said, "Yes; I would redress any grievances of any one who had any connection with our road, but told them that I did not know they had any grievances at Gouldsboro'." They said they had none, but that Hall, of Marshall, had been discharged. I told them that if Hall would apply to the court he would get speedy justice, and that there would be no obstacle thrown in the way of any one to get a hearing in the case. The spokesman said Hall ought to do that, and asked me if I would give him a pass to go to Marshall and induce him to do that, which I granted them. They went to Marshall but did not affect anything in that direction, but it stopped the strike at Gouldsboro'.

Q. Governor Sheldon, have you ever heard of any complaint of the refusal of any officer under you to hear and investigate any complaint of any employé along the line of the Texas and Pacific on the question of wages?—A. I have never had an application to investigate the question of wages, except as I have already stated; I have never heard that any officer on the road has refused, and I do not believe that any one ever has. Governor Brown and myself have said that we were ready to have a conference with anybody that has any business with the road, either as employé or shipper of the road. We have always taken that position. Of course, I refused to discuss the question with Martin Irons or the committee, as they had no business with us. I have repeatedly said, as I did to the Gouldsboro' strikers, if any person having business with the road claims that we have not kept our contract, performed our obligations and duties, I am ready to submit the question to any impartial tribunal,

but we cannot consent to arbitrate the question whether we need the services of a man or whether we can afford to pay the wages he might demand.

Q. Governor Sheldon, you have stated something about contracts. It has been alleged by the Knights of Labor that a contract or agreement, known as the Hayes agreement, existed between the officers of the Missouri Pacific Railway and the Texas and Pacific Railway companies and their employes, and that they worked under this agreement and desired the receivers to ratify it. What have you to say on that subject?—A. No employe of the road has ever asked me to do anything about it; I have seen this agreement and the principles of it have been carried out, especially as far as the payment of wages are concerned. I concurred with Governor Brown, who was first approached on that subject, that we were not bound by any such agreement. I supposed the material thing was that persons whom we might employ should not be overworked, and should be promptly paid their proper wages. I wish to add, further, that since the strike commenced a brakeman on the Rio Grande division said to me that he thought his class of employes on that division did not receive as much as they should for their services; that they had refrained from making any presentation of their case in consequence of their troubles. I told him if he would put his case in writing and send it to the receivers it would receive prompt attention. Also my stenographer and type-writer asked me one day if I could not increase his wages, which I declined to do; that was recent.

I wish to say, also, that Martin Irons, in one or both of our conversations, made some demands that we should recognize the Knights of Labor. I said to him that we knew nothing of the Knights of Labor, and that we would employ such persons as we needed and who were suitable, without regard as to whether they were Knights of Labor or not. Also, the strikers at Gouldsboro' said to me they thought that the receivers intended to ignore the Knights of Labor. I told him that we did not ignore nor did we recognize them; that we should employ individuals directly, and not treat with organizations in any case of any kind.

I am informed that Hall did not go to Dallas, and that none of his friends went for him, although they were supplied with passes, and, hearing no more from him, I concluded he had given up all ideas of a further consideration of his case by the receivers, and when the Gouldsboro' strikers came to me I thought it wise to refer Hall and them to the court, where they could get ample justice.

LIONEL A. SHELDON.

Q. (By Mr. PARKER.) You offered to furnish Hall with passes that he might make such statement to the court for any redress or other correction of the grievances he wished?—A. No, sir; I did not offer that to Mr. Hall. He stood on the platform with Martin Irons and two other men claiming to be a committee of Knights of Labor. I said to them, "Mr. Hall can have a pass for himself and two of his friends if you wish to go;" and I directed Mr. Thorn, division superintendent, to give them passes. I informed him of this, and they were to go next morning at 4 o'clock. They did not go, I am informed.

Q. What is your present official connection with the Texas and Pacific?—A. I am one of the receivers of the Texas and Pacific Railroad.

Q. You are an associate receiver with the last witness?—A. Not with the last witness, Mr. Levin, but Governor John C. Brown.

Q. When did you commence that service?—A. Well, I commenced to serve about the second day after my appointment, although I was not upon the road until the latter part of December. My formal appointment was on the 16th day of December; I got on the road the last of December. I commenced to serve on going to Saint Louis and investigating the question the second day after my appointment, which was the 18th, and I have been on the road ever since the latter part of December.

Q. Have you taken an active part in the management of the road?—A. Yes, sir; I have all the time.

Q. And you were doing so during the period of this strike?—A. Yes, sir.

Q. You may state in general terms the manner in which the strike has affected the operation of the road.—A. Well, sir, badly. It has frightened people from traveling on the road or shipping freight; it has deprived us of trade with the Northwest, from which a large part of our freight is obtained. I have talked with a number of persons who have expressed themselves as being afraid to go over our road or send their people down here. I took my wife over the road to let these assassins of property understand that I was not afraid of them.

Q. Over what portion of the road did you go?—A. From New Orleans to El Paso.

Q. About what date was that?—A. It was some time in the latter part of March.

Q. How are the roads running now as to interruption?—A. Regularly, sir.

Q. How is the supply of labor?—A. I understand we have plenty, except we wish to have a few skilled men at Marshall.

Q. Except that, have you all the skilled labor you require on the road?—A. I understand so. That is my information.

Q. There has been some suggestion as to there being too small pay for sectionmen; I would like your statement about that.—A. Well, sir, I cannot say about that. There never has been any complaint presented to me during my term of office that I have not stood ready to rectify.

Q. If they are not paid a fair compensation for their labor, they shall be?—A. Yes, sir; they shall be.

Q. Do you know, as to wages, the per cent. of wages paid to the section hands and yardmen, and those paid to farm laborers and other laborers of the same class?—A. To a certain extent, yes.

Q. You may explain how they rate.—A. Well, I think they are paid a great deal more than farm hands; that is my opinion. I believe that to be true. I am a farmer myself, and I know about what wages are paid on my farm, and I understand these men are paid a good deal more than farm hands.

Q. What knowledge have you of the employment of Chinese on a part of the system?—A. My understanding is we have had and still have about 110 Chioamen upon the track on the western part of the road.

Q. What is the reason of their employment?—A. Well, sir, it is a part of the road where scarcely anybody lives, except at the depots along the line, for a distance of about 300 miles, it has been estimated. It is very difficult, and would be very difficult, in my judgment, to get white men to stay there. Indeed, I think it would be impossible to get white men, and very difficult to get colored men, to go there and do that work. That is my information.

Q. Is there any help within a reasonable distance that could be obtained there without using these people?—A. I do not think there is. If there was we certainly would have it.

Q. You prefer to employ white men or colored men to these people?—A. I am an American, and I would not employ these people if it was practicable to get others.

Q. About how long have these men been employed on that portion of the road?—A. We found them there and we have continued them there.

Q. Are there any convicts employed on the road?—A. We have never had convicts upon our road that I am aware of; I think I can confidently state, since I was receiver.

Q. Then the statement that convict labor was employed, and honest labor called upon to labor side by side by men in convicts' garb, is not correct?—A. I think, I am confident, we have never employed a convict upon this road since the receivers were appointed.

Q. And you have no wish or intent to employ them?—A. We prefer that rascals should be by themselves and honest men by themselves.

Q. There has been something said here as to the possibility or advisability of arbitrating grievances and disagreements where negotiations do not readily adjust the complaint. What are your views upon that?—A. I am ready to arbitrate with any man in the capacity of receiver, or individually, as to any present or past transaction. It is a speedy way of settling differences. There is not an employé on the Texas and Pacific that cannot come to me at any time and have a grievance or claim righted that he could get of any body of impartial arbitrators. But I cannot consent to arbitrate whether or not I shall employ his services in future. That is what they want of us. "We want to work for you;" then if we do not want them, "then we will arbitrate," they say, and will send men to us who want to arbitrate the matter with us.

Q. Men who are not in your employment?—A. Not at all. Now, I understand the Knights of Labor want us to arbitrate as to whether we shall hire a man or not, and pay the wages that he asks, and that is a matter that we cannot arbitrate.

Q. Do you understand that that has been claimed?—A. Yes, sir.

Q. And as to that claim, you insist that it is not proper, and that you should not be pledged to it?—A. We cannot do it without abdicating authority. Arbitration is permitted; it is authorized by law; it has existed for two centuries and still exists in this country, and for a long period in England. It is voluntary. To make it compulsory would violate the Constitution of the United States, because it would interfere with the right to control and hold property.

Q. Let us look at that in another way. Here, we will say, are a hundred employés of the company, renting or owning houses along the line, with their families, and they receive pay which they regard as too small. Now, if the employé goes up and demands an increase in pay is he not greatly at the mercy of the company, for they may say, "We do not want you any longer, and you may go?"—A. He is entirely at the mercy of the individual who represents the company.

Q. Now, if such be the case with such employés, not standing upon the level of the platform with those with whom they have to negotiate, would it not be proper if there should be a legal right of arbitration?—A. You cannot bind an individual on an agreement to arbitrate unless he himself consents to it individually or by proper power of attorney.

Q. Have you read the bill introduced in Congress providing for arbitration between the existing employé and his existing employer?—A. I have. With the consent of the employé is the only way by which you can reach that matter. Either by Congressional act or statute encourage organization, and make them so that you can bind them.

Q. Do you believe that a very large per cent. of the cases of grievances or complaints can be adjusted either by negotiation or by voluntary arbitration if they are presented deliberately by the party concerned?—A. Yes, and ought to be.

Q. Then you are in favor of the management of this road and any other by conciliation and arbitration?—A. Certainly, and I am willing to decide questions in favor of the man that has to bend his back and strain his muscle to earn his living.

Q. Now as to the point of being willing or unwilling to deal or treat with Knights of Labor, or the body of Locomotive Engineers, or any other organized union in existence?—A. I will deal with anybody individually or through proper representatives.

Q. What do you mean by proper representatives?—A. Well, if a body like the Knights of Labor send a committee to me, and I am sure that I have authority to treat with them, I will treat that body respectfully. It is generally considered, as I told the strikers at Gouldeboro'—I said, "If you have any trouble come to me personally, or if you have an attorney or friends, come with them. I am willing you should have a representative."

Q. Has there been any purpose or intent in the management of this road to ignore the Knights of Labor as an organization, or to degrade their position by refusing communication with them?—A. None whatever, except this. I told Mr. Martin Irons I wanted to see the man who had a grievance. I wanted to know what his wishes were. I did not see him, because it was impracticable for me to stop at that time. If Mr. Hall had come to me with Mr. Martin Irons or any one else representing him I would receive him. I thought I would receive Hall himself, but I would not undertake to decide the case unless I saw both parties to the case.

Q. Some of these propositions for adjustment came to you after the strike began?—A. There has never been a proposition for adjustment before or after the strike, except the complaint that Hall was improperly discharged. There has been no other. I desired Hall, and so stated to his friends, to come to the car; that we would facilitate him to have a speedy and just result, and I gave a dispatch to Mr. McGrath to have a man sent to Marshall to investigate the matter, as there was a dispute as to the facts, and I assured them that I would do all I could to facilitate a speedy and just result.

Q. Do you recollect how long that was before the strike?—A. That was after the strike at Marshall, and a few days after the strike at Goldsborough; my impression is that it was the 12th or 13th of March. I gave them passes. As they subsequently told me, or one of them said, Mr. Hall was going to do what I suggested, but has never done it.

Q. Now, I wish to know your view of it—as to the changing of the relations of the parties who have struck.—A. Well, of course, it is a severance of relations, because they quit work and they are not entitled to pay, and we are not bound to pay them. I recognize the right of anybody and everybody to quit work when their terms are not satisfactory.

Q. Well, then, suppose they took other steps, and held the property so that it should not be used?—A. Exactly; you want me to suggest the remedy right there; is that so?

Q. We will not have it at this point; I was approaching that.—A. I will give a suggestion. I would make it a penalty severely punished to use force or intimidation to prevent any man from working for pay. I use that distinction between forcibly taking a man's property and forcibly preventing him from earning property. And right there, if you will permit me, sir, that is the only legislation that I could conceive is necessary, and should be adopted by the different States. The balance could be had by the thorough execution of the laws to protect American citizens from outrage in the interest of labor. I do not understand how the refusing to work or preventing others from work tends to promote the dignity of labor.

Q. Is there a surplus of labor in this part of the country?—A. I think so, sir.

Q. If men merely walked out from employments cannot other men readily be obtained to fill their places?—A. I think so; we would have had but little difficulty if there had been no violence. Some men do not want to go to Marshall, because they are afraid of violence.

Q. Then a peaceable walk out is not effective?—A. That is my opinion.

Q. Then, if men were generally aggrieved, a strike is no remedy for their grievance. Their strike injures nobody but themselves if they do not interfere with the legal rights of others?—A. That is it exactly; and it is unnecessary for any man on the Texas and Pacific to strike, for Governor Brown and myself would endeavor to eradicate any grievance.

Q. Suppose the men honestly (take the section-men) believe that you do not consent to pay them as much they earn by 35 cents a day, what remedy have they?—A. We cannot agree to give them that.

Q. Then, are they not utterly at your mercy to put them and their families off the homes they have bought? Now, sir, if there is no power by law to rectify that difficulty under the Constitution, ought it not to be done?—A. Yes, sir; but I don't see how you can do it.

Q. And suppose they cannot find a remedy under the Constitution?—A. I would like to see a remedy, but not such a one as would strike at the root of the right of contract. I believe in the preservation of the independence of American manliness.

Q. Then you would not give power to act between classes having complicated interests. Taking human nature as we find it, both in railroad managers and their employes, would it not tend toward justice to give power of arbitration where the parties ultimately fail in agreeing upon an adjustment themselves?—A. Will you permit me to ask a question?

Q. No; I would rather not in this case.—A. I can see no authority under the Constitution and no justice in Congress asking a court of any character to enforce arbitration that might compel you, or me, or any other man in America to make a contract contrary to his wishes; and I do not think you can get constitutional power to do it.

Q. But these men are in your employ. We will say they have been for years; they have attached themselves to the soil; all they have to-day is fixed upon the compassion of their employers, and will be destroyed if they leave.—A. Not necessarily.

Q. Now, you having received franchises from the Government by which you operate your road; has not the Government granting that franchise the right to protect those employes under it by providing a court that may arbitrate their difficulties with you?—A. The same right that they have with employes in the adjoining cotton-field.

Q. Do you assert as a matter of judgment that they have no more right than in the case of a farmer and his labor?—A. Not any more. If these men are not satisfied with their wages, they can go to a neighboring farmer and get employment. They can leave us at any time, and get equal wages with what we pay them. And let me say this: If, as an operator of this road, we should be compelled to keep these men, there should be a reciprocal obligation that if they want to quit we can keep them against their will. Is not that true?

Q. I am not answering questions, but I am asking you if it would not be well if both of these questions should be under the jurisdiction of some independent court?—A. No, sir; it would not be well. There is nothing that can be done that will answer to the individuality and independence of an American citizen.

Q. Do not you ever disregard the individuality or the independence of the workman?—A. No, sir; I do not. He is free to leave us and he is free to work for us.

Q. Is he free after becoming attached in this manner and being dependent upon his wages for his support?—A. We have got no fetters in this free America, and do not propose to have any. I want the laboring man to be just as free as I am, to work or not to work, as he pleases. There can be no republican form of government in this country unless men can be left to their individual action within the proper limits of just law.

Q. Suppose a man is working for just living wages, and that in the interest of the railroad company you reduce his wages 10 cents a day, and you to that extent prevent him from earning a living?—A. Well, I would not do that.

Q. But suppose some other man did?—A. Well, the workman would have to go and hire out to better advantage somewhere else.

Q. But is that quite fair treatment of the men in the management of a corporation brought into existence by the United States?—A. Oh, charitable and philosophical gentlemen like yourself and myself would not do that. There may be some shysters who would.

Q. Ought not we to have legislation for that?—A. Yes.

Q. Is there anything further that you would suggest as a remedy? You have studied this subject.—A. I have said about all. I see no other remedy. I simply think that men that are operating large railroads should be considerate towards the men who are working for them.

Q. But should they be compelled to rely upon their judgment and their humanity?—A. The right of individual contract must be preserved. You cannot incorporate men as you would capital, for you have to leave men free.

Q. I would ask you also as to the present system of pooling, and whether there is a pool covering all the Texas and Pacific system?—A. No, sir; there is a pool with reference to the Texas business as to passenger rates.

Q. The rates of passenger fare are not to be changed, unless there is a new agreement or some man cuts under?—A. That is true.

Q. Pooling agreements are not necessarily permanent?—A. Not at all, and I am in favor of breaking them when they are wrong.

Q. That is, by cutting?—A. I do not want you to examine me as a railroad man, because I have never had much to do with railroads.

Q. I am examining you as an experienced man, who has thought of these subjects not entirely from the railroad standpoint, but from a general and an official standpoint of life, and desire your views as to the propriety and benefits, if there are such, of pooling.—A. It is a very big subject. About the propriety I have no doubt, provided the charges are not oppressive upon the people. But as a rule they are. So far as I am advised they have become oppressive upon the people, and it is an outrage upon the public. They are generally entered into, as I understand it, in order to prevent getting into those disputes which will prevent the railroads from earning what they should to pay fixed charges and possibly dividends upon their stock. As far as the Texas pool is concerned, in my judgment, it is not exorbitant.

Q. That being so, does or does not the existence of a pool tend to the steadiness of the movement of trade?—A. Undoubtedly.

Q. And to the steadiness of employment and to the keeping up of wages?—A. Undoubtedly; and I think when laborers wish to reduce the earnings of railroads they make a great mistake. They should be capable of making good earnings, in order to be able to pay good wages. Of course, as receivers of this road, we are in the hands of the court. We are administering it for the benefit of those people who own the bonds and the stock. I presume Governor Brown has no interest in the road; certainly I have not, I never had, and never expect to have. We wish to do all we can to save the widows, the orphans, those who have trust funds, and the men in advanced life who have put their money in these bonds as a source of revenue in declining years. We wish to do all that is right.

Q. Is there any wish or desire to obtain labor at values less than the full wages paid for similar work?—A. Oh, no; there is a full concurrence between Governor Brown and myself and all officers of the road to pay all that we can consistent with our duty to those who have got their money invested in this road.

Q. (By Mr. OUTHWAITE.) Had you, previous to your appointment as receiver, been connected with the Missouri Pacific system in any manner?—A. No, sir.

Q. I am requested to ask you if you are a partner of Judge Pardee, in the law, at the present time, or were you at any time?—A. No, sir; I am not and I have not been since the spring of 1868. Prior to that time for two or three years we were law partners, but since the spring of 1868 we have not been partners or interested together.

Q. How soon after the strike began was the road capable of transporting the same amount of freight as it had carried previous to the strike?—A. Well, I am unable to answer that. It was capable, if not interfered with, at any time after the strike; but there were interferences, as reported, at Big Springs and Fort Worth, and some derailments. As to whether it was fully able to carry or not immediately after the strike I could not tell, but it was not a great while before we were. Of course our freight was very much reduced in consequence of the strike on the Missouri Pacific.

Q. Did you mention to Governor Brown anything about the grievances of your employees on the Texas and Pacific Railroad previous to the strike?—A. Yes, sir.

Q. Do you recollect how long before?—A. I think it was the day or the day before I left Dallas; I am not sure. Governor Brown was too ill to do business; he was in bed most of the time.

Q. You spoke of the employment of Chinese labor on the west end of one of these divisions. Would you now employ white labor on the Texas and Pacific Railroad in place of the Chinamen if such labor were to make application?—A. Certainly, as far as I am personally concerned. Blood is a good deal thicker than water.

Q. Is it not a fact that there was an understanding between the receivers of the Texas and Pacific Railroad not to recognize the Knights of Labor as an organization in settling the grievances of the men?—A. No, sir; there was no understanding about it.

Q. Would you approve of the incorporation of labor organizations?—A. No, sir; I would not make chattle of men. That is the reason why I would not favor the incorporation of labor.

Q. I suppose they would determine that question themselves?—A. But they would be chattle nevertheless. They would be like so much stock.

Q. Are not the earnings of the Texas and Pacific Railroad applied to the Missouri Pacific for the purpose of liquidating these liabilities?—A. No, sir; they have not been since I have been receiver.

Q. Do you know whether they were before the receivers were appointed?—A. I have no knowledge on the subject.

Q. And then you cannot say whether the Texas and Pacific was thus practically wrecked for the purpose of reducing the value of its stocks and bonds?—A. No, sir; I think it was wrecked in its construction. I do not think it was necessary to wreck it.

Q. What do you mean by that expression—by a construction company?—A. I pre-

sume so, from the contracts that were given; but I have no knowledge of the contracts.

Q. Do you know whether Mr. Gould was one of the stockholders or managers in the construction company?—A. I do not know anything about it.

Q. Is it not a fact that when a railroad is unable to pay dividends upon its stock and interest upon its bonds that the wages of employes are reduced as a means of enabling the corporation to pay such dividends on stock and interest?—A. As a rule, I do not know. It has not been tried in our case. In some few instances wages have been increased.

Q. Do you believe the road could at this time, supposing the track to be in entirely good condition, pay interest on all its bonds and dividends upon its stock out of its earnings?—A. That is a very important question. If you take the eastern division, which is between Shreveport and Fort Worth, and put it in good condition, in a year it could earn and pay the fixed charges, except upon terminal bonds. The New Orleans division could be put in good condition and pay the cost in three years, and I think in two, and thereafter pay fixed charges. The Rio Grande division, in my judgment, could, by its reparation to the extent of putting it in good condition, in five years, and thereafter pay its charges. I do not think it is necessary on this road to sacrifice the bonds, but as to whether the holders will do that I do not know.

Q. Have not the farmers of Texas been virtually robbed of millions under the present pool without any increase in the wages of the employes resulting therefrom?—A. Well, sir, I do not think so.

Q. Do you think \$1.15 a day is fair wages for a man who has to pay from \$15 to \$17 per month for board?—A. Well, it is not as much as he probably ought to have, but the question is how much he earns for his employer. An employer cannot afford to employ a man at a loss.

Mr. OUTHWAITE. That question is intended to apply to the employes of your road? The WITNESS. Well, of course I apply it to them and everybody else in my remarks. Will you permit me to suggest that the wages paid now are higher than the wages that were paid in 1866, and the cost of living is only 59 per cent. of what it was in 1866?

Q. (By Mr. PARKER.) Will you explain why, if a body of men are chartered to build a railroad, and another body of men are chartered as a labor organization, one would really be chattel more than the other?—A. Well, those who take stock in a road do not propose to be sold themselves, but they propose to put their money up, and they do not put up an individual. Therefore, if anything goes wrong, it goes on the road, and not on the individual. If the man is chartered he becomes a chattel, and if he has got an officer, and he is an incorporated human being, he is under the control of that officer.

Q. But suppose the organization does not place him under the control of officers, but simply gives him power to act through an organization?—A. That is just what he can do now. It would not change anything. My judgment is we had better go back to old principles and old times, and let an individual stand on his merit, and not go into an organization where any kind of a rascal is equal to the best of men.

GEORGE NOBLE sworn and examined.

My Mr. OUTHWAITE:

Question. (Handing witness copy of testimony taken before commissioner.) This testimony, you say, is substantially correct?—Answer. Yes, sir.

The testimony was read as follows, and made a part of the record:

Statement before Commissioner.

Question. Please state your understanding of the causes that led to the strike the 1st of March on the Texas and Pacific Railway.—Answer. It is pretty difficult to tell what the cause was.

Q. Well, go on and state how it began; what grievance, if any, or alleged grievance?—A. On the 24th of February I received a message from T. J. Burnett, member of the executive board, Knights of Labor—at least that is the way it was signed—saying, "Please come to Marshall immediately to settle trouble in shops."

Q. Was he an employe of the company?—A. Yes; I suppose at the time that he was. I went into the general superintendent's office and inquired if they had heard of any trouble at the Marshall shops, and they said, "No, they had not." I answered Mr. Burnett that I had not heard of any trouble at Marshall shops and was "too busy to go there to-day." Afterwards I heard that Mr. Burnett was not an employe of the company, but still later I found that he was.

Q. How soon did you visit Marshall after that?—A. I did not go there until after I got this correspondence from Irons.

Q. What followed next?—A. On the 28th of February I received a message which said, "Governor Sheldon referred me to Dallas. I cannot come to Dallas; cannot control matters here long; if not settled by 2 o'clock, March 1, must call out Texas and Pacific Railroad employes. Answer immediately by telegraph what action you will take. Martin Irons, Chairman Executive Board, K. of L." This was Sunday. On Monday morning I inquired of the superintendent if he had any complaint of any grievance from Marshall, and he said no. I then telegraphed the division superintendent, L. S. Thorne, of the New Orleans division, and George Dimick, of the eastern division, both of whom were then at Marshall, asking them if they had any complaints made to them up to that time. They said they had not. The information I had from various parties who had come from Marshall was that the men would not strike; could not be made to strike, and I believed it. I made inquiry as to who Martin Irons was—whether he was an employé of the company or not—and was told that he was not an employé of our company, and that he lived in Sedalia, Mo.; I therefore paid no attention to his message.

Q. Now state what condition of affairs you found at Marshall.—A. During the week I heard that a man by the name of Norman, an old employé of the company, had stated that he had telegraphed to me, or written to me, to come to Marshall. I telegraphed to Mr. Dimick, the division superintendent there, to send me a copy of the message sent by Mr. Norman, that if he did not find it at our office, to go to the Western Union Office, as I had received no message from him. He answered that he had seen Mr. Norman, and he (Norman) had admitted that he had not sent any message to me by wire or by mail. On Saturday evening I went to Marshall. I spent Saturday night and Sunday there. During the day I met Mr. Norman, who said he had not sent me any message, either by letter or by wire, but had by some person, asking me to come to Marshall. If he sent it, I never received it. I told him then, in the presence of a number of others who were considered the leaders of the shopmen at Marshall, that I would have gone to Marshall at any time, if any of them had notified me that they wanted to see me, after I found out there was a prospect of any trouble.

Q. Who did you see and confer with on your arrival at Marshall?—A. I saw Mr. Dimick, division superintendent, Mr. Thorne, Mr. Watts, Mr. Crosby, Mr. Dempsey, and of the strikers, I saw Mr. Norman, Mr. Moore, and a number of others.

Q. What reason, if any, did they give for quitting work?—A. They gave none that day. I visited Marshall on March 24, and remained until Sunday evening, March 28. On Sunday I met three of the strikers and had an interview with them, in which I told them that I did not believe that a majority of them were in favor of the strike, that that was my information, and they said my information was correct, that a majority of them were not in favor of a strike—I think they said 75 per cent. of them were opposed to it, but that they were ordered out and they were obliged to go.

Q. By whom?—A. They did not say by whom.

Q. Did you discover while there any disposition on the part of the strikers to cripple the operation of the road by threats, intimidation, or otherwise?—A. No. On both occasions while I was there, they were quiet and made no threats.

Q. Was the property guarded at that time by deputy marshals?—A. It was on the second visit; not on the first. It was remarked, though, by Mr. Thorne, Mr. Dempsey, and others, on the occasion of my first visit, that it was very extraordinary that none of them came about the shops and yards that day while I was there; that that had not been the rule.

Q. Have the receivers, or any officers under them, to your knowledge, ever refused to hear any grievance from any employé, or any complaint concerning the question of wages?—A. No, sir.

Q. Were the wages paid by the receivers the same that had been paid for a few months prior to their appointment?—A. Yes, sir. I know of no change having been made.

Q. Have you any knowledge of any threats or intimidation or molestation or obstruction of the railroad property or interference with the running of trains at any points on the line?—A. None, except what I have heard from other parties, and the notice that was served on an engineer west of Fort Worth. I saw that notice.

Q. During most of the strike have you been in Dallas?—A. I have been in Dallas, except as above stated, and two or three short trips to Fort Worth.

Q. Then you have been most of the time engaged in office work?—A. Yes, sir.

Q. Have you anything further to state?—A. I was going to say that I was at Marshall a short time before the strike occurred, and went through the shops and talked with a great many of the men, and came away under the impression that the men were satisfied, and that they were going to retain their places, and that there would be no further talk about removing the shops, and all that kind of thing, which had been, as I understand, irritating the men a great deal previous to this time. I assured them that there was no thought of moving the shops, and if they gave good service I had no doubt they would be employed there for many years to come; and I thought that my visit had a good effect.

Q. Did you investigate the method of performing the service there in the shops?—A. No; I was only there one day.

E. B. WHEELOCK sworn and examined.

By Mr. OUTHWAITE:

Question. (Hearing witness testimony taken before the commissioner.) Have you examined these papers, and, if so, what do you say as to whether the testimony there given is correct and as you gave it?—Answer. I say it is correct.

Q. What do you say as to the facts therein stated being true?—A. I confirm it. (The testimony was here read and made a part of the record.)

Statement before Commissioner.

Q. Please state your official connection with the Texas and Pacific Railway.—A. I am one of the general agents for the receivers, Lionel A. Sheldon and John C. Brown.

Q. When did you arrive at Marshall?—A. On the 12th day of March, Friday.

Q. What portion of the time have you been here since that time?—A. Constantly, with the exception of three days at Jefferson.

Q. Please state your understanding and knowledge from the investigation that you have made since your arrival here of the cause of the strike.—A. The only cause that I have heard assigned for the strike, was the discharge of a man named Hall, who was a foreman in the car-repairing department.

Q. Were you here at the beginning of the strike, about the 1st of March or soon after?—A. I arrived here on the 12th of March. The strike, I am informed, occurred on the 1st of March, but many of the men did not discontinue work until the 4th.

Q. Have you been general agent for the receivers since their appointment by the court?—A. Yes, sir.

Q. Have the receivers, or any officers under them, violated any promises or agreements with the employes of the Texas and Pacific Railway Company upon the question of wages?—A. None whatever to my knowledge.

Q. State on what conditions you notified the men who stopped work that they could return to the shops to work.—A. I required all persons applying for work, who had abandoned their places, to bring me a request for their reinstatement from the foreman under whom they were to work, to be approved by the master mechanic. Before reinstating them I invariably proceeded in the following manner: I asked the applicant if he desired to return to work, and upon his reply in the affirmative I told him I thought it proper to state to him that the rules and regulations of the Knights of Labor would cut no figure in the conduct of this business; that this road was now in the hands of the United States court, and was being operated by the receivers; and while we did not propose to abridge the personal liberty or right of any citizen in the free exercise of the prerogative of belonging to any association, we did claim, and would demand, during business hours, that we should have their whole time and attention to duties, and that we expected 100 cents worth of work for every dollar we paid out, and he, if thought proper to accept employment on those conditions, was at liberty to go to work, and if he did not see fit at any time to accept these conditions, he could vacate his place. There were to be no more cabalistic signs or chalk-marks on the doors of our shops and our cars, whatever might be their significance, and reading of newspapers and leaving the shops during the hours of work without permission would not be tolerated. We intended, however, to treat them fairly, and if they had any grievance which they considered worthy of attention, I for one would consider them, and see that they were treated fairly and justly.

Q. In your capacity as general agent did you make any inquiries or investigations in regard to the manner in which labor was performed here in the shops at Marshall during the months of January or February, or at any time since your appointment prior to the strike?—A. I did.

Q. State in substance your conclusion.—A. After investigations of the condition of labor in the shops I called upon the master mechanic for a statement from his books, showing the relative cost of repairs which had been done in the department presided over by C. A. Hall, and also a statement of the same character during the administration of his predecessors.

Q. What conclusions did you arrive at?—A. I found that the work under his administration had cost the company on different time from 50 to 75 per cent. more, in some cases, than the same work had cost the company previous to 1885.

Q. Did you come to the conclusion after inquiry and investigation that Mr. Hall was inefficient as a foreman?—A. From conversation with different employes, who have the reputation, and I think deservedly, of being good, faithful and honest workmen, I have heard but one expression of opinion, and that was very detrimental to Mr. Hall as to his capacity and ability as a foreman.

Q. Did you have any interviews with any Knight of Labor since your arrival here on the 12th of March, one who struck and went out of the shops?—A. I had interviews with a few, one of whom was a foreman in the blacksmith-shop. I think his name was Tamsit. I had that interview with him at the request of Mr. Dempsey, general foreman.

Q. State in substance what it was about.—A. I said to Mr. Tamsit that what I heard of him concerning his ability and straightforward manner in which he had conducted the business, that I should have been pleased to have heard that he had went back to work. He said he was considering the matter, whether he would or not; he said that he felt that he ought to go back to work, but there was an obligation resting on him as a member of the Knights of Labor which caused him to hesitate. He said he had not yet made up his mind, and asked me that should he conclude in the next three or four days to return to work, whether he could have his old position back again. I said, "Mr. Tamsit, you say you are resting under an obligation which prevents you from determining whether you should return to work or not?" He replied, "Yes, sir." I said, "Are you a married man? Have you a wife and children?" He answered, "Yes, sir." I said, "Did you not take an obligation when you married your wife that you would support and cherish her?" He replied, "I did." "Do you not think that obligation more binding on you and your conscience than any obligation you could put yourself under?" I also said to him, "You look to me to be too sensible a man to be controlled by any such obligation as you speak of." He still persisted that it would require a few days for him to determine, and asked me if I would give him a pass to Bonham; also, that if he should conclude to come to work when he came back, if I would reinstate him. I told him not if I could get another man in the mean time to take his place, I should do so.

Q. Do you know anything about a man by the name of F. J. Bailey?—A. I do.

Q. Please state what you know about him.—A. The first time I saw Bailey was immediately after the appointment of the present receivers by the court. At Governor Brown's request, I accompanied him to Dallas. On our arrival at Marshall we proceeded to the shops. Mr. Dempsey, who was then foreman of the round-house, informed me that there was a committee of the Knights of Labor who were awaiting our arrival, and would no doubt take occasion to interview us, which they did. The committee was composed of three persons, of whom Mr. Bailey was the spokesman. He addressed Governor Brown, saying he wanted to have some talk with him about their grievances, and desired to know whether the receivers would recognize the Hayes agreement. Governor Brown replied that Governor Sheldon and himself had just been appointed receivers of the road by Judge Pardee; that the appointment had not yet been confirmed, and that everything was yet in a chaotic state. He also informed them that they had not had time to consider business of any character, but he wanted them to understand that the employees of the road were going to be fairly dealt with, and that the pay-car would be here at a certain time and the men would all get their money, but that they must not forget that the road was now in the hands of the court, and that the men would be fairly dealt with, and he hoped that everything would go on quietly and smoothly. We went on to Dallas, where I remained two or three days, when I returned to New Orleans; remained there probably a week. Governor Sheldon asked me to accompany us to Dallas, which I did. On our arrival at Marshall we were waited on by a committee. Governor Sheldon asked the spokesman of the party who he was. He said, "I am Martin Irons." Governor Sheldon then asked him if he was an employé of the road. He answered, "No, sir." "Where do you belong?" "Sedalia, Missouri." Bailey was present, as well as others, among whom I noticed one Stewart, alias "Frenchy." Governor Sheldon told them the road was now in the hands of the receivers appointed by the court, and asked them what their grievances were. Mr. Irons replied that a man named Hall had been unjustly discharged, and that they wanted him taken back. Governor Sheldon asked him by whom he had been discharged. He answered, "By Mr. Crosby, the general foreman of the repair shops." Governor Sheldon said he had heard the man was discharged for incompetency and insubordination, and if he had time to investigate the matter he would have the discharged man and Mr. Crosby appear before him, without any outside interference. He told them that he was on a hurried trip to Dallas, and that the receivers were not yet ready to take up any matters connected with the road until they had more time; but that he would endeavor on his return from Dallas to give the subject his attention. We remained in Dallas nearly a week. On our return we stopped at Marshall, and were again met by Mr. Bailey, Mr. Irons, and others. Governor Sheldon told them that he had not time now to give the matter attention, as he had hoped to; that business required him to be in New Orleans, and suggested that they go to Governor Brown at Dallas and have Hall lay the case before him. Mr. Irons then asked if he could be furnished with transportation for himself and friends. Governor Sheldon replied, "I will ask the division superintendent to furnish you with passes for yourself and two friends, which I presume will be enough." They accepted the proposition. But Mr. Irons remarked that he either could not or

would not hold the men at their work, if this matter was not speedily settled. This terminated the interview. Whether he ever went to Dallas, I don't know.

Q. What was the condition of affairs upon your arrival here, having many acquaintances among the business men?—A. I called upon them, and was told by several with whom I conversed that there was a reign of terror here, and that men's lips were closed. I said, "How can that be?" They replied, "Nearly all of these strikers are in debt to our merchants, and they are afraid to say much for fear of being boycotted and losing what is due them; in fact the people have to be very cautious in what they say and do."

Q. From what you discovered the condition of affairs to be here, did you consider that railroad property was in danger?—A. I did. When I arrived here I found a most lamentable state of affairs; a few days later a rail was taken from a trestle, 15 feet high, which derailed one of our passenger coaches filled with men, women, and children going to various points. Two bridges were set on fire, one of which was partially destroyed. There seemed to be no attention paid to it by the strikers, and no particular stress laid upon it by them. I believed that there was an established conspiracy, an armed conspiracy immediately following the arrival of the United States marshal in this town, for the purpose of defeating the order of the court; and I believe it can be proven, if some of the people of Marshall would only tell what they know.

Q. So far as you are able to determine, do you think this molestation and destruction of property was caused by the Knights of Labor?—A. Unquestionably; that is my opinion. The removal of the rail on the trestle was clearly, to my mind, the work of their emissaries.

Q. It has been currently reported by the Knights of Labor that the displacement of this rail was merely the result of an accident caused by the bad condition of the track on the bridge. Did you investigate this matter personally?—A. I made no personal investigation; the marshal, with his men, however, did so, and the report was that it had been unquestionably taken up; the nuts and bolts which confined the fish plate to the rails were found directly under the trestle, and the bolts were not wrenched as is the case when accidental, but the thread on the bolts where the nuts had been was fresh and bright as when it was first cut.

By Mr. PARKER:

Q. Do you know who C. A. Hall's immediate superior was when he was discharged?—A. Mr. Crosby.

Q. And do you know who Mr. Crosby's immediate superior was?—A. The general foreman of the shops.

Q. Is there any other matter that you wish to mention now?—A. Nothing further unless the committee desire to question me.

Q. (By Mr. OUTHWAITE.) Do you personally know of any attempt made to trace from the scene of this derailment the persons who committed the act?—A. We attempted, with a pack of bloodhounds, but we found that the parties went there on horseback and went away in the same manner, and the dogs were not trained to follow horses, but they just ran around and around the bridge, and made a circuit of the bridge and would not leave it; finally we came away. I will state further the Knights of Labor said it was on account of the condition of the bridge. The bridges are all in first-class condition, especially on that division, and the rails are all new steel rails. The track has not been laid long. On the question of the removal of the rail, to my mind, from all the circumstances, I am satisfied that it was the work of some one who desired to derail that train; I will not say to take the lives of women and children, because that is a degree of fiendishness which I hope is not to be found in any white man, but probably to deter the locomotive engineers and firemen from performing their duty, because they were constantly receiving communications about the bridges on the road, warning several that they must be careful in crossing bridges. I think it was done for that purpose, and the probability is that the train had been slowed down to about 6 miles an hour in going over, and if it had not been for the slowing of the engine they would have been thrown off.

Q. Did not these bloodhounds take up the scent and go directly back to the round-house?—A. No, sir; that is false, and cannot be proven by any respectable man.

Q. (By Mr. PARKER.) What was the height of the trestle?—A. About 14 or 15 feet, sir. In regard to the burning of the bridge, three spans were burned of the first bridge; that was burned the second night after I arrived. These bridge burnings were all done within four or five days of the date of the arrival of the United States marshal and his deputies.

Q. (By Mr. OUTHWAITE.) Within how many miles of Marshall?—A. Within a radius of 3 miles of Marshall. Under the first bridge that was burned, where they failed to destroy the whole of it, there was found a large quantity of circus bill posters that were only partially burned. Three spans of the bridge were burned, and trains delayed twelve to fifteen hours. After we arrived in Marshall it was impossible to get men boarded in any of the boarding-houses in the place; that is, the men who came

there to take the places of workmen who had stopped work. We were compelled to erect bunks in one of our shops until we could remove the sick from our hospital, sending them to Fort Worth and New Orleans, and breaking up the hospital to a considerable extent. We then transferred the men into the hospital. The only way we could provide for our labor was to provide for them ourselves.

Q. (By Mr. PARKER.) Then you had yourselves to undertake to board the men?—A. A lady who kept a boarding-house said she would like to have me send her four or five or six boarders, if I could do so, but before they could be sent there several parties called on her, and she was notified that if she took them it would break up her business, and she would not take them.

THOMAS W. ANDERSON sworn and examined.

By Mr. OUTHWAITE:

Question. Have you examined this testimony taken before the commissioner of the court?—Answer. I have examined it.

Q. Is it a correct copy?—A. It is correct.

Q. What have you to state further as to whether the facts stated therein are true?—

A. The facts therein stated are true to the best of my knowledge and belief.

The statement was here read in evidence.

Statement before Commissioner.

My name is Thomas W. Anderson; I live at Fort Worth, Tex.; am trainmaster Rio Grande division Texas and Pacific Railway.

Q. How long have you held that position?—A. Over two years.

Q. Were you on duty at Fort Worth on or about the 1st of last March?—A. I was.

Q. Were you there at the time when the men stopped work?—A. I was in Fort Worth at the time.

Q. Did you talk to any of them before they quit work?—A. No, sir.

Q. Please give a history, as far as you know from personal knowledge and memoranda in your possession, of the strike.—A. At 3 p. m. on the 1st day of last March I was advised that the men at Marshall and Big Springs had gone out on a strike. I at once went to our shops at Fort Worth, and notified the general foreman, Mr. Douglass, what had transpired at the other places, and stated to him that we might expect the same thing at Fort Worth. At 5.30 the whistle blew at Fort Worth, and all the laborers, including the machinists, helpers, carpenters in the car department, freight-warehouse men, all the switchmen, and the men working on the coal chutes, quit their work and went out.

Q. About how many in all?—A. In the neighborhood of 125 men. On the morning of March 2 we undertook to transact our business; the heads of the different departments went to work and carried on the business ourselves; we succeeded in employing one switchman and one or two men in the round-house as wipers, and got two or three men to work on the coal chutes. During the afternoon former employees of the coal chutes, men who had struck, went to these men who were at work on the coal chutes and asked them to quit work, which they refused to do. They then said to these men, if you don't quit work we will drive you out of town. The men came to me and stated the facts that had transpired. I put them to work again, and in the mean time we had succeeded in getting three or four other men to work in the round-house and the yard. Up to the 4th of March we were able to secure but very little labor, but on the afternoon of March 4 we succeeded in employing an entire new force for the freight warehouse; at one time forty-five men made applications for situations, and by the 10th of March we had succeeded in getting all the men we wanted in most of the departments, but not a full force, as our business was lighter and we did not require as many men.

Q. What was the attitude of the strikers, the late employees, from the time they left the shops up to the time the marshals began to guard the property?—A. With the exception of the interference with the men on the coal chutes, no violence or intimidation was offered to our men around the machine shops or around the yard; there was some intimidation toward the men working in the warehouse; all the depredations committed in Fort Worth were committed in the Missouri, Kansas and Texas yard, where the strikers killed engine No. 49. In one instance they attempted to pull one of our men off of a train, and in another instance they struck another of the men with a rock, and in another instance they "egged" the men who were doing the switching at the time.

Q. Was it necessary to guard the men from violence, from the men who had formerly been the employees of the road?—A. It was.

Q. Did the strikers injure or destroy much of the property at Fort Worth?—A. No, sir; the general impression seemed to be that no interference would be offered to the employees working on the Texas and Pacific, on account of it being in the hands of the

United States court. The most interference was made to our switching in the Missouri, Kansas and Texas yards. We do all the switching for them. On the 2d of March, in conversation with one of the strikers, I was informed that districts 73 and 101 had ordered a general strike of the Gould system. He said he could not tell when it would begin; neither how the order had been sent out—whether by telegraph or by letter. On the 6th of March all the employés on the Missouri Pacific system went out. No effort was made by the Missouri Pacific in Fort Worth to run trains until, I think, on the 5th or 6th, when we made up a train for them with engine No. —, which the strikers killed. We took our switch engine and put that engine back in the round-house. On the next day they made another effort to run a train with engine No. 122. This engine was killed. We took it back to the round-house. The strikers became so aggressive that we did as little switching in the Missouri, Kansas and Texas yards as possible. The Missouri, Kansas and Texas people were not running any trains, and we did not think it advisable to subject our men to possible injury any more than was absolutely necessary to do that work. There were no further efforts made to get any trains out until the first day of April, when the sheriff of Tarrant County, with probably 50 deputies, came down and undertook to start a freight train north. The strikers took possession of the train, pulled the pins, and it was impossible to get the trains out. They then went to work and got an injunction before Judge Beckham, which was served on all the strikers, and on the 2d day of April an effort was made to start the trains. A train was made up by the yardmaster and switchmen of the Texas and Pacific Railway, and, under guard of three or four deputy sheriffs and policemen, started south from Fort Worth at 11.30, when, at the crossing of the Fort Worth and New Orleans, south of Fort Worth, the train stopped and the officers in charge of the train saw a number of men standing on the crossing, and at a short distance, probably 100 yards from the track, sitting down in a ditch, were some more men armed with Winchester rifles. The officers asked these men what they wanted, to which no reply was made. I understand the officers started toward the men with the Winchester rifles, and then these men rose up and commenced firing at the officers. They succeeded in killing Officer Townsend and wounding Officers Sneed and Fulford. The wounded men were brought to Fort Worth, and the news of the shooting was carried up town and through the city; by 1 o'clock there was a crowd of one thousand people around the Union depot. About 2.30 p. m. one hundred citizens, armed with Winchester rifles, came to the Union depot, when the United States marshals dispersed the crowd and drove them from the depot. The wounded officers were taken to the hospital and cared for. We were then notified on what was considered reliable authority that an effort would be made that night to burn the Union depot warehouses and offices of the Texas and Pacific, and if they succeeded in this they intended to burn the city. In the meantime the United States marshals and armed citizens were scattered through the yard over the property of the railroad companies. The mayor of Fort Worth, Colonel Smith, called upon Governor Ireland for troops, and by 10 o'clock on Sunday morning, the 3d of April, several companies of militia had arrived at Fort Worth. No crowd had congregated up to this time, but in the afternoon they gathered to the number of several hundred between the Windsor Hotel and the Union depot, but were not allowed to come on the railroad premises; the military kept them back. On the 4th of April the Missouri, Kansas and Texas commenced running trains under the protection of the soldiers, and have been running trains ever since.

Q. Was there any difficulty in procuring men to take the places of the strikers?—A. None whatever, with the exception as I have said before. Just as soon as we demonstrated to the public that we could protect our men we succeeded in getting all the labor we wanted, with the exception of sectionmen, until the 21st day of March, when a large number applied for work and were employed. Afterwards I learned from a Knight of Labor that from the 4th day of March up to that day, the 20th of March, the organization in Fort Worth had been boarding all these men at a cost of \$35 per day to the association, but that it had grown so expensive that they had to let the men go, and after they did, we had no trouble in securing all the labor we wanted. I employed in Fort Worth, and sent to Big Springs and Baird and different points along the line also, the men who were put to work at Fort Worth in different departments, to the number of 300 men, by the 21st day of March. On the 24th day of March I was notified by the superintendent that we needed no more labor on the track. At the present time our forces in Fort Worth are all full.

Q. Did any of the strikers express a desire to return to work?—A. We have re-employed at Fort Worth, out of those strikers who quit work, about twenty-five, all of whom, I understand, have now been expelled from the order of the Knights of Labor, and are threatened with vengeance at their hands.

Q. How long have you been employed in railroad work?—A. I have been in railroad work for about twenty years.

Q. From your observation and knowledge of strikes, do you believe it possible for a strike to succeed on any railroad in the country unless followed by unlawful acts; with threats, and violence, and intimidation?—A. I have been through five strikes

in my life—that is, since I commenced railroading—and I have never yet seen one of them succeed except the strike of a year ago on the Gould system.

Q. How came that to succeed?—A. The strike was ended by an agreement between the managers and the employes. No strike can succeed without violence, intimidation, or unlawful acts.

Q. What did the strikers do in the strike of last year at Fort Worth?—A. They took forcible possession of all the locomotives and all business of the company, and allowed no trains to run except passenger trains. They managed the business and saw that engines were got ready to take passenger trains. In Fort Worth they disabled 13 engines by taking parts from the engines, which they carried away and hid under the floors and other places. As soon as an engine would come in the strikers would immediately climb on her, to the number of 12 or 15, and took the engine away from the engineer and fireman, took her to the round-house and blew it out, and either took the throttle off or some particular part, by which they rendered her unfit for use. That strike lasted twelve days.

Q. What grievance, if any, did the strikers give you concerning this last strike?—A. I asked that question of one of the Knights of Labor, an employe of the company, at Fort Worth, and his reply was that they had no grievance. I asked him why he struck. He said: "Simply because I was ordered to." Then I said: "You don't know what you struck for?" "I do not." He said he did not know the cause, and that they were ordered out.

Q. Did they say by whom they were ordered out?—A. No, sir; he said the only reason why he did not return to work was that should he do so they would call him a coward.

Q. Did the employes who struck, as a general thing, desire to return to work?—A. The general impression was that the strike was ill-advised, and that it was a mistake, and most of the men expressly desired to see it over. But very few of them expressed any desire to return to work until it was over.

JOHN L. MANNING sworn and examined.

By Mr. OUTHWAITE:

Question. This paper contains your testimony taken before the commissioner of the court. Have you examined it?—Answer. Yes, sir.

Q. What have you to say as to whether it is correctly stated?—A. It is correctly stated.

Q. What have you to say as to whether the facts stated therein are true?—A. Yes, sir; they are.

The testimony was here introduced as follows:

Statement before Commissioner.

Question. Please state your name and occupation.—Answer. John L. Manning, deputy United States marshal for the western district of Texas; headquarters, El Paso and San Antonio.

Q. How long have you been a deputy marshal?—A. I have been a deputy marshal for over four years. Prior to that time I was in other business.

Q. Where are you now stationed?—A. At Big Springs, Tex., on the Texas and Pacific Railway.

Q. What were you called there for?—A. To protect the Texas and Pacific property, which is in the hands of the receiver.

Q. When did you first arrive there?—A. On the morning of the 9th of last March or the 8th—I forget which.

Q. Please state the condition of things at Big Springs at the time when you arrived there.—A. Well, when we arrived there the Texas and Pacific was in the hands of the strikers—that is, the Knights of Labor; everything was tied up and many engines killed. There was but one track open when we got there, and that was for passenger trains.

Q. What did you do?—A. We stated our intention of running those trains. We started everything that was ready to go.

Q. Did you meet with opposition?—A. None whatever.

Q. How many deputies were there with you?—A. We had on our arrival there Captain Dubal, brother, and myself. We afterwards summoned from Colorado City ten men, headed by the sheriff of Mitchell County. There were ten or fifteen in all.

Q. What was the attitude of the strikers?—A. They seemed to be determined to do something to obstruct the progress of business, but they did not interfere with us at all.

Q. Did they meddle with the switches and trains?—A. Well, several switches were turned, and on one occasion the switch that led to the coal chute was chained; the switch that ran up to the coal chute; yes, there were several other switches turned, but they caused no damage.

Q. Were there any men employed to take the places of the strikers?—A. Yes, sir; the first batch came from New Orleans; 16, I think, were in the crowd. Some came from El Paso.

Q. Were any attempts made to intimidate them?—A. Yes, sir; frequently.

Q. Please state an account of it.—A. Well, the first notice we had of any attempt at intimidation was when the first batch arrived from New Orleans, as they were coming from dinner at the hotel, a crowd of fifty—might have been more—had collected and called the men scabs. There was no violence further than some rough words, but intimidation was going on, but secretly; it was very difficult to find out who the parties were.

Q. Did you ever hear any complaint from the strikers that the receivers or any officers under them failed to keep any promise or agreement that the receivers had made with the employes concerning the question of wages?—A. No, sir.

Q. Did you regard the property as being in danger?—A. I did.

Q. Those who quit work at Big Springs—are they still there?—A. Many of them are.

Q. Did many of them return to work?—A. Some of them did.

Q. What reason, if any, did they give for quitting work?—A. I believe most of them said they were ordered to quit work.

Q. By whom?—A. Well, by their lodge, I think; or at least that is my understanding.

Q. Did you consider the property in great danger there?—A. Yes; I did, to a certain extent. I thought they might burn property, and there was danger from other sources.

Q. Have you had any communication with the strikers since your arrival there?—A. No, sir.

Q. Did you issue any notice at the time?—A. No, sir; we just expressed our determination to run the trains and have the business of the road resumed.

Q. Did the strikers understand that you intended to protect the property there?—A. Yes, sir; we told them that that was what we were going to do.

Q. Did they succeed in persuading any of the employes to quit work?—A. I believe some five or six.

Q. Do you think there would have been any trouble in filling the places of the strikers with new men if they had not been intimidated?—A. I think they could have been filled.

Q. Did this feeling seem to be directed against the railroad company, or was it against the new employes?—A. Well, I could not say whether it was against the company or against the men.

W. L. CABELL sworn and examined.

By Mr. OUTHWAITE:

Question. Have you examined this paper [handing witness paper]?—Answer. Yes, sir.

Q. It purports to be a statement of your testimony taken before the commissioner of the court?—A. Yes, sir.

Q. What have you to say as to whether it is a correct copy?—A. That is correct and is signed by me and also by six deputy marshals.

Q. And also as to the truthfulness of the statements therein?—A. Yes, sir.

Q. I will ask you whether this is a detailed account of your acts during the strike?—A. Up to a certain time; up to the date of that.

Q. I see it contains a statement by dates of the events as they occurred, the arrests and the charges that were made against the parties arrested, and so forth?—A. I state that the statement here presented has been examined by the deputy marshals in charge, except some of them—three of them who are not present, but would subscribe if they were here.

The testimony was here read and admitted, as follows:

Statement before Commissioner.

Question. Please state your name and official position.—Answer. My name is William L. Cabell; I am United States marshal of the northern district of Texas.

Q. About how many miles of Texas and Pacific Railway are in your district?—A. My district extends from the eastern boundary line of Kaufman County to the western line of Nolan County, which includes the Texas and Pacific proper, a distance of 310 miles; the Transcontinental Branch, extending from the eastern boundary line of Lamar County to Fort Worth, where it intersects the main line of Lamar County to Fort Worth, where it intersects the main line of the Texas and Pacific, a distance of 170 miles, making a total within the northern district of Texas of 480 miles.

Q. When were you called upon to protect said property, and for what cause?—A. On the 12th day of March I was called on by the receivers of the Texas and Pacific Railroad to protect the property of the road at different points, as well as the agents and employes of the road who had been intimidated and in several places driven off by lawless men, composed of strikers, Knights of Labor, and others.

The rolling stock of the Texas and Pacific Railway of every description, and the workshops at every place, were virtually in the hands and under the control of these lawless men. At that time a writ of assistance was placed in my hands, issued by the Hon. A. P. McCormick, United States district judge, dated at Graham, Tex., March 11, 1886, directing me to put the receivers in possession of the road at Bonham, Fort Worth, Baird, and other points on the road; to put the receivers in possession of the cars, workshops, &c.; to disperse all persons interfering in any way with the servants of the receivers, and to order all persons to leave the road, the cars, workshops, &c., and to arrest all persons, within my view, who interfere either by act, word, or deed with the agents and servants of the receivers, or who interfere in any way with the property of the Texas and Pacific Railroad.

In obedience to the writ of assistance of his honor Judge A. P. McCormick, I left Dallas on the night of the 12th of March and went to Bonham, Texas, as requested by the receivers. I found that the strikers and other Knights of Labor had tied up thirteen engines, which were disabled and forced back in the round-house, and sixty-five freight cars loaded with freight, and would not allow the employes to move the engines or the freight cars. It had also been reported to me that a man by the name of Thornton, the city marshal at Bonham, and who is a Knight of Labor, had placed a guard of ten men, all Knights of Labor, heavily armed, on the Texas and Pacific Railroad and yards of same near the depot, who virtually took control of the rolling stock and freight cars, and ordered the engineer and firemen and brakemen who came on every train to leave the services of the company and the receivers.

I found on investigation that this lawlessness had taken place, and this, as well as other acts of violence, intimidation, and threats on the part of the strikers and other Knights of Labor, had virtually stopped the moving of freight trains and closed the road, so far as the commerce of the country was concerned, and had so intimidated the section men and other employes of the road that they could not work unless protection was guaranteed them from acts of violence on the part of said lawless men.

In obedience to the writ of his honor Judge A. P. McCormick, I dispersed all lawless men, put the road and its property of every description in the hands of the agents of the receivers, set freight trains moving, and put men to work in the shops, all protected by a guard of ten special deputy marshals.

On the evening of the 15th of March, I was notified by the receiver of the Texas and Pacific railroad that a number of lawless men at Fort Worth had been throwing stones and rotten eggs at the officer, switchmen, and employes of the road while actually at work switching cars; that they had possession of that portion of the track north of the depot, round-house, &c. The receivers called upon me to put their employes in possession of the road and shops, and to protect them while employed. On the morning of the 16th I went to Fort Worth with nine deputy marshals: Deputy marshals Thomas E. Gerren, W. F. Morton, J. M. Waller, Joe W. Record, Ben E. Cabell, W. A. Correll, W. B. Maddox, W. Tumell, and E. E. Marx. I had telegraphed the mayor and sheriff to meet me at the depot. I found that a large number of lawless men had taken possession of the track of the Texas and Pacific Railroad north of the depot; that they had driven off several switchmen on the 15th, and also on the morning of the 16th, by throwing rotten eggs and stones at the switchmen, and cursing, damning, and threatening them and other employes and officers of the road, and would not allow them to move the cars and trains.

After calling to my assistance the sheriff and six good, determined men, I went at once into the yards where the mob, between four and five hundred, had gathered, read the order to them and ordered them to disperse; to leave the road, and not to interfere with the employes. I took possession of the tracks, cars, &c., and drove the mob off the road and put the officers of the road in complete possession, and with strong guards protected them in the movement of trains, &c.

On the night of the 16th I was notified by the receivers that the strikers and other lawless men and Knights of Labor were threatening to burn the bridges between the Brazos River and Baird, and that they were driving off the employes of the road at different places, and that they asked for protection.

I went at once to the different points on the road, and placed a strong guard at Gordon, Strawn, Ranger, and Baird, which I thought was sufficient. On the morning of the 21st of March the engineers, brakemen, and conductors on what is called the Rio Grande division, west of Fort Worth, became alarmed, owing to the number of strikers and other lawless men between the Brazos and Cisco, called on me for protection, and stated that unless they were protected they would have to give up their engines and trains.

I immediately organized a large force of special deputy marshals, twenty-four of the number being mounted men, to guard the coal-chute at Gordon, the water-tank at Aledo, Strawn, and Tiffin, the bridges at the cañon and other places; to attend trains between the Brazos and Ranger, and to examine and patrol the road from Brazos to Gordon and from Gordon to Ranger; to prevent these lawless men from flagging the engines, tearing up the track, and burning the bridges, and to protect other property of the company.

Q. Was the employment of deputy marshals necessary, in your judgment, to protect the said property from destruction?—A. Yes, sir.

Q. Give total number of deputies and time employed to protect said property?—A. The employment of deputy marshals was absolutely necessary to protect the property of the company from destruction, also to protect the lives of the employés who were willing to work, the property of citizens being transported as freight to different towns and cities in the State, and the lives of passengers traveling through the country; to prevent the burning of bridges, round-houses, cars, and depot buildings; to prevent the destruction of the water-tanks and pump-houses from one end of the line to the other, and putting a complete stop to the commerce of the country.

I am fully satisfied that the employment of deputy marshals saved the property of the road from the east line of Kaufman County and from Bonham to the western line of the northern district of Texas from being destroyed, especially the round-houses and depot buildings at Fort Worth, and the water-tanks at Denton, Aledo, Strawn, and Tiffin, the large wood trestle bridges across the cañons and gulches at different points in the Rio Grande division, which, if burned or destroyed, would completely stop both travel and traffic west of the Brazos for months, and cost the company thousands of dollars to rebuild.

Their employment saved thousands of dollars worth of property for the company, and the lives of many citizens; put both passenger and freight trains to moving from one end of the line to the other; protected the commerce of the country; restored confidence in the employés of the company, and enabled the section men to work without molestation or hindrance, and enabled the officers, switchmen, and other employés in the yards and mechanics in the workshops to perform the duties required of them.

To do this and carry out the orders of the court, I have employed fourteen regular deputy marshals and about one hundred and sixty special deputy marshals at different times, and posted them at Brookston, Bonham, Southmayde, Whitesboro, Denton, and Roanoke, on the Trans-Continental Branch; Fort Worth, Aledo, Millsaps, Brazos, Gordon (coal chutes), Strawn, on main line Texas and Pacific; the large wood bridges at the cañons, and other places between Strawn and Ranger; the water pumps at Tiffin, and at the round-houses and shops at Baird, on main line Texas and Pacific. The time employed has been from the 12th of March to the present time, the number each day depending on the necessity for protection. The greater number of the special deputy marshals were discharged on the 6th, 8th, 10th, and 11th of April, leaving now on duty about twenty-three specials and four regular deputy marshals. Whenever I deemed it necessary for immediate protection I would also commission officials of the road.

Q. Was any of the property disabled, injured, or destroyed during this time, and, if so, the best of your knowledge and belief, by whom?—A. On the 13th of March I found 13 engines disabled and unfit for use at Bonham, Tex., the freight trains uncoupled and most of the coupling-pins taken away; at Abilene, one engine had been disabled; at Aledo, Tarrant County, the pumper had been shot at, bullets fired into the tank, the hose cut, and the pump injured by a party of strikers and Knights of Labor. On the 14th of March five men, named Andy Haley, W. J. Haley, James Taulby, W. P. Thayer, and George Tuttle, were arrested for contempt and obstructing the marshal in exercising the duties of his office. On the night of March 17 a bridge north of Fort Worth was burned, supposed to be accidental; my belief is that it was set on fire by strikers and Knights of Labor.

On the night of the 18th of March the bridge 6 miles north of Denton was burned, and was the work of strikers and Knights of Labor. On the 18th the coal-heavers at Denton were ordered to leave, and were not allowed to give coal to the Texas and Pacific engines; they were reported to me as striking Knights of Labor; such is my belief. I at once went there and placed Deputy Marshal Joe W. Record and five special deputy marshals to protect the coal-heavers and water-tanks.

On the 18th threats were made to burn all the bridges between the Brazos and Baird, which made it necessary to station special deputy marshals as guards to protect them.

On the 21st one engine was badly injured and completely disabled by a striker and Knight of Labor at Strawn. About the same time the water-tank at Strawn was fired into, the hose cut, and the water let out. On the same day trains were flagged, the engineers ordered off and threatened with death if they did not leave the employ of the road west of Strawn.

On about the 21st, near Sparta, the train was flagged and the engineer ordered to leave the engine with a threat of death.

On the 22d of March sectionmen working on section near Mill Saps were threatened and driven off. On the 23d of March Timothy Higgins was arrested for abusing and trying to intimidate employes at Fort Worth.

On the 24th of March the men at work at a bridge near Eastland were driven off by Knights of Labor and would not return to work until a guard was sent.

On the 24th of March a Knight of Labor by the name of Fortner at Gordon placed a train of powder 35 feet long through the freight depot, where coal oil and other combustible matter was, and set fire to it, evidently with the intention of burning the depot at Gordon.

On the night of March 24 logs and railroad ties were piled up on the track four miles east of Strawn, in order to wreck a passenger train, and were discovered and removed a short time before train was due.

On the 24th of March, between Sparta and Brazos, rocks were piled upon the track of the Texas and Pacific.

On the 24th of March a striker and Knight of Labor, near Strawn, made the flagman lower his flag and forced him and his two brothers, who were at work on the section, to leave their work and the company.

On the 26th of March, a few miles east of Aledo, in Tarrant County, an engine blew up, killing the engineer and firemen, the engineer being killed instantly. Nothing could be found out as to the cause. My own belief is that there had been something put into the water-tank of the tender by some strikers at Aledo as the train came by. I have not been able so far to get any positive information as to the cause, but my conviction is as stated above, as there were a number of bad and lawless men there at that time, composed of strikers and Knights of Labor.

The employes of the road at Bonham and the sectionmen between Bonham and Savoy on the west, and Bonham and Brookstan on the east, were ordered off by strikers and Knights of Labor and not allowed to work. Deputy marshals were sent there as guards to protect the bridges and sectionmen near Brookstan; they are on duty there now. Deputy marshals were sent with party on the west of Bonham to protect employes and sectionmen between Sherman and South Mayde; who had been threatened by strikers and Knights of Labor and most of them driven off. On the 26th of March, at Bonham, a man named Charles Barton abused and threatened and tried to intimidate sectionmen at work on section near and west of Bonham. On the 27th of March Charles Wilsou displaced a switch on the Texas and Pacific Railroad at Denton in an attempt to switch a passenger train; sentenced to five months in the county jail. On March 27 Dick Gordon was arrested at Fort Worth for throwing stones at a switchman, an employe of the Texas and Pacific road, while switching cars; sentenced to three months in the county jail. On or about the night of April 1 two rails were taken up on the Transcontinental branch of the Texas and Pacific Railroad at Fort Worth. On or about the morning of April 2, a large mob, numbering some two or three hundred, composed of strikers—Knights of Labor—took possession of the switch on the Transcontinental branch of the Texas and Pacific Railroad at Fort Worth, in order to force a passenger train on a side track from which the rails had been taken up, for the purpose of wrecking the train. The deputy marshals in charge, with great trouble and difficulty, drove the crowd away, took possession of the switch, allowed the train to go on the proper track, and thereby saved both life and property from destruction.

On April 2, at Aledo, two men, named Sam. Asberry and J. C. Newberry, were arrested for intimidating employes, the pumper and sectionmen.

On the 7th of April Ed. Thornton and three others were arrested for intimidating employes and forcibly taking charge of the company property.

On the 9th of April Sam. Martin was arrested for interfering with property of the Texas and Pacific.

On the 10th of April W. M. Mace and F. P. Lowe, T. R. Anderson, E. Bishop, and Robert Erwin were arrested for interfering with Texas and Pacific property, trying to displace a switch and to wreck a train at Fort Worth. Bishop and Lowe each sentenced to three months in county jail; Erwin was discharged; Anderson and Mace are under bond.

On 12th of April Perry Thompson was arrested for throwing stones at the caboose of a moving freight train near Strawn.

On the 12th of April attempts were made at South Mayde, west of Sherman, to drive sectionmen off and prevent them from working for the Texas and Pacific Railroad.

On the 17th of April Ed. Donahue tried to take forcible possession of a switch to force a train on a track at Fort Worth where the rail had been taken up.

On April 19 Pat Wallace was arrested near Denton for threatening employes of the Texas and Pacific Railroad and trying to force them to leave their work.

On or about the 22d of April iron was piled upon the track of the Texas and Pacific

Railroad, about 2 miles west of Weatherford, which came very near throwing the passenger train off the track, and injuring the track in other respects.

On the 25th of April William Wallace was arrested for threatening employes of the Texas and Pacific on the 19th and trying to force them to leave their road work.

On April 25, west of Strawn, at Tiffen, a party of armed men destroyed the pipe leading to the water-tank and filled the pipe with rags, sticks, &c., making a total of 24 arrested under this writ.

W. L. CABELL,
Marshal Northern District Texas.

STATE OF KANSAS,
County of Dallas:

Before me, D. A. Williams, notary public, in and for the county and State aforesaid, personally appeared W. F. Morton, Thos. E. Gerren, M. W. Witt, Henry Hackney, and J. T. Tooley, who each upon oath say that of the matters and things set forth in the foregoing pages, those that are stated as coming within their own knowledge and observation are true, the rest they believe to be true.

W. F. MORTON.
THOS. E. GERREN.
M. W. WITT.
H. HACKNEY.
J. T. TOOLEY.

Subscribed and sworn to before me this the 3d day of May, A. D. 1886.

D. A. WILLIAMS,
Notary Public, Dallas County, Texas.

W. F. MORTON sworn and examined.

By Mr. OUTHWAITE:

Question (handing witness the statement of Marshal Cabell just admitted). That purports to be an indorsement of yours and some others as to the official acts of the marshal. Have you examined it?—Answer. I have a few minutes ago.

Q. What have you to say as to the statements being correct?—A. They are correct so far as we are advised.

Q. The facts stated in what relates to the different dates are true?—A. Yes, sir.

THOMAS H. GERREN sworn and examined.

By Mr. OUTHWAITE:

Question. You were one of Marshal Cabell's deputies were you not?—Answer. Yes, sir.

Q. You have examined this paper? [Exhibiting statement of Marshal Cabell just introduced.]—A. Yes, sir.

Q. It purports to be a statement of the official acts of the marshal and his deputies during the strike. Is it correct so far as it relates to the section that you had charge of?—A. It is correct up to the day it was given, to the best of my knowledge.

Q. And the statements contained therein are true to the best of your knowledge?—A. Yes, sir.

JOHN L. MANNING recalled and examined.

By Mr. OUTHWAITE.

Question. Can you give the names of the men arrested and imprisoned at El Paso during the strike and the offenses with which they were charged?—A. They were charged on the writ of assistance issued by the Federal court. I have not the writ, as it is on file at the office at El Paso at present. There were four arrested on that writ and ten or twelve on another writ.

Q. State what was the substance of that writ?—A. It was a bench warrant issued by Judge E. B. Turner, of the western district court, for the arrest of thirteen parties charged with intimidation and general interference with the road. There were also capias issued for trying to disturb the administration of justice in the United States district court. About thirty are in that.

Q. How many fugitives are there from justice?—A. I have made seventeen arrests altogether, and I suppose there are probably twenty fugitives from justice, but I cannot state exactly, as there have been several arrests made upon this bench warrant issued the 6th day of April who are now out under bond. They were arrested and gave bond in the sum of \$1,000 each.

Q. Do you know of any of the former employes of the road being arrested at Toyah?—A. Yes, sir.

Q. For what?—A. They were implicated in intimidation, in the killing of engines, and turning switches. One of them was arrested for turning a switch in front of a

freight train that was ordered to run through Toyah without stopping. He changed the switch just before the train got to it; but a wreck was prevented by one of the former employes changing it before the engine got to it.

Q. How many arrests were there made at Toyah?—A. There were three arrests made.

Q. What became of the charges against the parties?—A. One of the men has been acquitted and the others are serving sentence in the county jail now. They were tried at the last term of our El Paso court.

The following was introduced as evidence:

Official instructions to deputies.

Instructions to special deputy marshals commissioned by S. D. Jackman, United States marshal western district of Texas, at Big Springs:

These commissions have been issued to persons named in them for the purpose of aiding the marshal in executing the commands of a certain writ of assistance and possession, issued out of the United States circuit court for the western district of Texas, by the Hon. E. B. Turner, judge of said court, on the 6th day of March, 1886. In order that the power and authority of such special deputies may be fully understood, it is necessary to refer to the commands of said writ, in which it is ordered that the marshal and his deputies enter in the shops and premises of the Texas and Pacific Railway and disperse and eject from said premises all persons unlawfully assembled or collected therein; that they restore to the receiver of the road quiet and peaceable possession and use of all property of said railway company.

These commands it is your duty as much as mine, each and every one of you, to see carried out in spirit and in letter. You are empowered to resist with force, if necessary, any attempt to interfere with or injure the property of the company, or the running of trains, and to that end and that alone you are authorized to bear arms while your commission is in force, but if you go beyond the legitimate performance of your duties, as indicated above, either by threats, force, or show of violence, you will stand upon the basis of any other law-breaker.

If any resistance is made to the legitimate exercise of your authority under these commissions, you will identify the parties and report their names at once to me at El Paso, Texas, with the names of witnesses.

Such interference with your authority is a serious offense against the laws of the United States, and will subject the offender to indictment and imprisonment in the penitentiary.

S. D. JACKMAN,
United States Marshal.

The committee then took a recess for dinner.

On the reassembling of the committee they proceeded to take testimony.

JOHN G. HARRIS sworn and examined.

By Mr. OUTHWAITE:

Question. Have you examined that paper [handing paper to witness]. It sets forth your evidence before a commissioner of the court. Is it substantially correct?—Answer. Yes, sir.

Q. Are the statements therein sworn to by you substantially correct?—A. Yes, sir. The statement was here read and admitted, as follows:

Statement before Commissioner.

Question. Please state your full name and occupation.—Answer. J. G. Harris, an agent for the Texas and Pacific Railway and the Missouri Pacific Railway at Fort Worth.

Q. How long have you held that position?—A. Well, I have been an agent over ten years, but have been at Fort Worth a little over two years, since February.

Q. Please state what you know concerning the strike on the Texas and Pacific that occurred about the 1st of last March.—A. Well, on the 1st of last March I was out at the compress, and had just finished loading 200 bales of cotton, and had signaled the switch engine to come over and pull them out; the engine came up and coupled on; then I heard the whistle blow, and it kept on blowing for a long time, and by that it attracted my attention, and then I saw the switch engine cut loose from the train and back into the round-house, and then I saw men running from the warehouse and from different portions of the Texas and Pacific property to the round-house. I inquired what was the matter, but at first could get no intelligent answer. I then went over to the warehouse and found that my warehouse laborers with some five or six clerks had suspended work. I called the foreman of the warehouse and asked him what

was the matter. He said there had been a strike ordered by the executive board, Knights of Labor. I then asked him what was the matter, and he said he did not know. I then asked him if they had any grievances, and he said that they had none so far as he knew, but that they had been ordered out, but he would advise me in the morning whether they would return to work or not. On the morning of March 2d he came around and said they had been ordered out, and that they would quit work. I had 25 laborers and 5 clerks; they went out under that strike. I had other Knights of Labor directly under me in my office, who were ordered out repeatedly, but refused to obey the order, they being a more intelligent set of men. They claimed the order for the strike was unconstitutional and unwarranted, and they remained at work during the entire time, and are at work still. On the morning of the 4th, acting under the instructions of the superintendent, I reorganized my labor force in the warehouse, and had no trouble in doing so.

Q. Did you fill their places with other men?—A. Yes, sir.

Q. Were these men intimidated after they went to work?—A. Yes, sir; a mob of 200 or 300 people gathered on the warehouse grounds, but I ordered them off, and they gathered on the street near the warehouse and jeered and used pretty hard language towards the men.

Q. Did you regard this quitting on the 1st of March and subsequent conduct of the men who stopped work as peaceably quitting the employ of the railway?—A. No, sir; they hung around, and even some of them come around yet, but they are very guarded in what they say.

Q. Have the receivers or any officers under them failed to keep any agreement or promise they had made with employes since they took possession of the property?—A. I don't think they have.

Q. Did these strikers give any reason at any subsequent time for going out?—A. Some of them said it was to assist the order at Marshall to have one Hall, who had been discharged, reinstated.

Q. Did you witness this throwing of eggs?—A. No, sir.

Q. Did you see any instances of intimidation or threats?—A. Well, some of the strikers would congregate around where the new employes were working, and would use such language as would leave the men to believe that they would receive bodily harm if they continued in the service of the company; I myself have been assaulted on the street about my work, going to and fro, by men whom I believed to be Knights of Labor, calling me hard names, &c. And further, Knights of Labor, I believe, came to my premises and pulled up some young trees.

Q. From the conduct of a few weeks after of strikers, did you consider their warfare to be against capital, or was it really against other labor not connected with their order?—A. I think you might pass that jointly; they did not want to have other men working while they were not, but also meant to give a stroke at capital.

Q. Did men apply to you for work immediately after the strike, and if so, on what conditions?—A. Yea, sir; they asked to be protected. On the 4th I organized my force with thirty-five men and four clerks. They asked to be protected, and that their positions to be permanent, provided they should prove satisfactory, which was promised.

Q. You had no difficulty in replacing the men who had quit?—A. No, sir; I had plenty of applicants for the various departments; I put up a card that I had as many men as I needed, so that I would not be bothered with applications. I had as many as four times the applicants for positions as I needed.

By Mr. OUTHWAITE:

Q. Were you living here at Fort Worth at the time of the strike?—A. Yes, sir.

Q. Were you acquainted with many of the strikers?—A. Yes, sir; I was.

Q. Did you meet many of them about that time?—A. I did.

Q. What cause, if any, did they give for going out on the strike?—A. Some stated that they did not know what; others on account of Mr. Hall being discharged at Marshall.

Q. Were any other reasons given?—A. None to me, sir.

Q. When the strike of March, 1885, was settled, did you not state that you were glad, as it gave you \$15 more per month?—A. No, sir; I did not.

Q. Have the check clerks ever received the wages paid prior to September, 1884?—A. They have not.

Q. What difference has there been?—A. From about \$5 per month.

Q. Did you ever complain to the officers of the road about this?—A. I received a communication from one of the clerks, Mr. Read, representing, as I understood it, the Knights of Labor element among the men employed by me, asking for a restoration of those wages.

Q. When did you receive that communication; how long before the strike?—A. This was along about last August or September, I think.

Q. What was the reason the wages were not restored?—A. Mr. Cumming, the general superintendent, replied to me that the business of the road would not justify an increase of wages at the present time.

Q. Do you know whether there was any agreement that these wages should be restored to any former price or not?—A. I do not, unless they were included in the agreement made between Mr. Hoxie and Mr. Hayes during the strike in 1885.

Q. Was there a reduction of 35 cents per day ordered in 1885 on all freight handlers?—A. May, 1885? No, sir.

Q. About that time?—A. No, sir.

Q. Did you receive a telegram from Mr. Keller, superintendent of the Rio Grande division, to send in his pay-roll at a dollar twenty-five, or at the rates previous to March, 1885?—A. No, sir. There has been no effort made since the restoration of wages under the Hayes agreement, in March—I think it was, in 1885, so far as my force is concerned—there has been no effort or instruction made to reduce them. I had an order in May to reduce the number of men employed, and at that time I let out six men, reducing the force from twenty-four warehouse laborers to eighteen.

Q. Is there any difference in the amount of work done now and that done just before the strike, taking the same number of men?—A. Well, sir, I think there is a considerable difference.

Q. Is it much in favor of the company?—A. The men I have now employed do more work.

Q. You mean by that they do more work than the same number of men did before the strike?—A. Yes, sir.

Q. Do you know any reason for this?—A. No, sir; except that they seem to go along as though they meant to do some work. I get as much work as ever. We could put through the house, when trade was extra, about three or four thousand dollars a day, and we are now putting through the house, without much of a rush, fifty-two or fifty-five hundred dollars a day. That is the amount of freight earnings.

Q. Is not that a result of the character of freight?—A. Not necessarily. It is the same class of freight we handle from one day's end to the other.

Q. Then, in your opinion, it is the result of a difference in the spirit and diligence of the men?—A. Yes, sir.

Q. Did you not state to John Lehahn, about the 3d of May, that you had rather have Jamieson and six of his men than all you had employed?—A. I do not know; I do not remember to have had any such talk with him, and I think it is generally agreed that the present force is more efficient than the one we had.

SAMUEL F. JUDD sworn and examined.

By Mr. OUTHWAITE:

Question. Is this paper the testimony given before the commissioner of the court [handing it to witness]? Have you examined it?—Answer. I have, partially.

Q. As far as you have examined it, is it correct, and are the facts stated in there true?—A. It is, except in the place where it states that I had held that position two years; it should be "three."

Q. What position did you hold at that time?—A. I was general yardmaster.

Q. What cause did the men give for going out at the time of the strike?—A. I asked my men why they quit me without notifying me. They said they were ordered out by the Knights of Labor, and could not work any more.

Q. Were any other reasons given?—A. They did not give me any other reasons, except that they were ordered to stop and that they had no grievances at all, and wished to stay at work.

Q. Who was it told you that a man named Lovin had ordered the men to stop?—A. Mr. Starr, my chief clerk, came in my office, threw his keys down on my table, and said he could not work any longer. I asked him what was the trouble, and he said they had received an order to strike, and he asked me to go and see Mr. Lovin and see if he could not settle the matter. I spoke to Mr. Lovin, and he said "No, sir."

The statement was here introduced and read, as follows:

Statement before Commissioner.

Q. Please state your name and occupation.—A. S. F. Judd, general yardmaster of the Texas and Pacific and the Missouri Pacific yard.

Q. How long have you occupied this position?—A. I have been with the company three years the coming of next August.

Q. Please state what you know from personal knowledge concerning the strike that occurred on the Texas and Pacific Railway about the 1st of last March?—A. Well, at 5½ o'clock the whistle of the round-house blew and the men walked out. This was the 1st day of March, 5½ o'clock. All the shopmen and yardmen went out.

Q. State how many, about.—A. I had sixteen switchmen, four car-markers, one yard clerk, and one switch lamplighter.

Q. What reason was given then for quitting work?—A. They would not give any reason; they said they were ordered out by the Knights of Labor, by a man named Loving.

Q. Who is this man Lovin?—A. Well, he is a carpenter in the repair-shops of the Texas and Pacific Railway.

Q. Did they remain around the property and shops of the railway company?—A. Well, not on the Texas and Pacific side; a few of them came around the next day, and I asked them why they did not go to work and what their grievances were; they said "No, sir;" and that they had no grievances. That was what I asked my own men. They said they had been ordered out and had to quit, and then went away.

Q. Did they express a desire to return to work?—A. Some three or four of them did; they said they did not want to go to work, but had to.

Q. Have you been able to fill the places of these men who went out by others?—A. Well, we could have filled them all, but it was several days before the new men would go to work, I think through fear.

Q. Through fear of who?—A. Through fear of the strikers; they went so far after the men went to work to call them all sorts of names and everything that they could think of. John Connors assaulted one of the men—Mr. Ramsey—and struck him three times.

Q. While Mr. Ramsey was at work?—A. Yes, sir; he was in charge of an engine.

Q. Did these strikers continue to hang around the yards?—A. Yes, sir. You see I have charge of the Missouri Pacific and Texas and Pacific yards, and they hung mostly around the Missouri Pacific.

Q. Did you consider that peaceably quitting the employ of the company?—A. I did not consider that peaceable at all. They did not seem to want anybody else to work when they were not working themselves.

Q. Did they use opprobrious epithets?—A. Yes, sir; they called God damned sons of bitches, and told them that they were not men, &c.; also called them scabs, and that they would "do them up," and even tried to keep them from getting board. They also threw eggs one day in the yards; they threw two or three hundred eggs at the men who were at work, and hit two or three of my men and called them names.

Q. Did I understand you to say that you would have had no trouble in filling the places of these men who quit work had it not been for those hanging around there intimidating the new men?—A. We would have had no trouble in filling the places of the men had it not been that the men were afraid of going to work. My men were afraid even after they had commenced work in the yards, on account of this.

Q. How long did this state of affairs continue?—A. About two weeks they kept on bothering us, until we got the marshals here—Mr. Cabell and his men; then they kept away, but would stand outside and yell at the men.

Q. Did this intimidation, yelling, and throwing eggs at the employes come from the employes who had quit work?—A. Yes, sir.

Q. Was there any property destroyed, switches turned?—A. There were switches turned, engines killed, one yard engine No. 49. It was a Missouri, Kansas and Texas engine, but was in charge of the Texas and Pacific, who had her over two years, and is just the same as their own engine.

Q. One day there was some firing in which several persons were hurt and killed. Did you see anything of it?—A. No, sir.

Q. How far was it from where you are?—A. It was about 2 miles south of the yard.

Q. Was there any shooting on the property of the Texas and Pacific Railway?—A. No, sir; not that I know of. There might have been stray shots fired at night, and I believe there were some fired from a back that drove by the yards. We tried to take a train down to the junction, and we were attacked by three men on our way back, and the switches thrown, so that we would run on the side-track.

Q. Do you know the names of these three men?—A. Charlie McGee was the man that opened the switch; the other two men were only with him.

Q. Had these three men been in the employ of the railway and quit?—A. Yes, sir.

Q. Did you talk with them?—A. I did; they told me I could not get by that switch. I told them that they were interfering with the United States court, and finally they agreed that they would let me go if I would not use the Missouri, Kansas and Texas engine. If we would not have been on the lookout there would have been a wreck, as that spur holds six cars, and there were three cars on it, and after we once had got on we could not have stopped at all, as the going down was a very heavy grade.

Q. What is the reason that these men were not arrested?—A. I do not know; I reported the matter when I got to the depot, and I think the officials at Dallas were notified.

Q. About what was the damage committed here, in your estimation?—A. Well, I

should think between \$8,000 and \$10,000 would be very low; more likely between \$10,000 and \$20,000.

Q. Are you quite sure that these men who threw eggs, turned switches, and threatened the men with violence were Knights of Labor?—A. I could not say, but it is what they claim; they say they are Knights of Labor.

Q. Immediately after the strike, did men not connected with the railroad apply for work?—A. Yes, sir, they did; they applied the second day.

Q. What were the conditions on which they would go to work?—A. If we would give them protection so that they would not be hurt.

Q. Did more men apply than you could use?—A. Yes, sir.

LEVI L. KELLER sworn and examined.

By Mr. OUTHWAITE:

Question. What position do you fill on the Rio Grande division?—Answer. I am division superintendent.

Q. Where is your office?—A. At Big Springs.

Q. Where were you on the 1st of March, when the strike occurred?—A. At my office.

Q. You may state whether during the strike the killing of engines, damaging of engines, and the side-tracking of trains occurred, and what intimidation, if any, was practiced upon employes?—A. Yes, sir, there was.

Q. How many engines were killed?—A. Two engines were killed, and there were some ten or eleven disabled.

Q. How many trains were side-tracked?—A. They side-tracked one train at a station called Mansfield, and it lay there about ten days.

Q. How long was freight traffic interrupted on the division from Colorado City to Toyah?—A. From the 4th to the 10th at Toyah; at El Paso from the 5th to the 10th, and freight service was resumed fully on the 10th.

Q. How many employes were under your charge?—A. There was about 800 on the entire division, including all services.

Q. How many went out?—A. About 350.

Q. How were you enabled to resume traffic?—A. By the assistance of the deputy United States marshals coming to Big Springs. They arrived there at 2 p. m. on the 9th.

Q. Before they came were any men taken from their engines?—A. Some got off and were said to be crowded off.

Q. State what you know about an attempt to wreck a train at Toyah.—A. We had a train of time-freight consisting of oranges and dry fruit from California, and we were advised from Toyah that there would be an attempt to side-track that train at Toyah on the morning without allowing it to come on. I issued an order for the train to run through Toyah without stopping, and run through at such a rate that people could not get on it. They arrived about 6.50 in the morning running about 30 miles an hour. When the parties saw that they were not going to stop, after flagging them down, one man named Joe Humes ran to the switch and threw it, with the intention of wrecking the train. This proceeding was witnessed by Mrs. Penn, wife of our yard-master, and she yelled to her husband and he ran and threw the switch back.

Q. Were both men former employes of the company?—A. Yes, sir.

Q. Were they both members of any organization?—A. Well, Humes was said to be a Knight of Labor.

Q. How about the one who threw the switch?—A. He was also a member and master of their order, I understand.

Q. Have you any personal knowledge of either one of these men being members of that order?—A. Not any more than any man outside of the order would be able to have. Mr. Penn himself told me he was.

Q. Did you receive a telegram in April or May, 1885, in regard to the reduction of wages of freight hands at Fort Worth?—A. And other places; I think I did.

Q. From whom?—A. I received a message from Mr. Cummings, general superintendent of the road.

Q. What was it to do?—A. The message he sent me, as near as I recollect, was not to reduce the pay from \$1.50 to \$1.25. It was not done; it was not reduced.

Q. How many Chinamen have you working on the division of the Rio Grande?—A. We have about 125 now.

Q. State if there is any reason why these men should be employed other than the cheapness of their price?—A. They are no cheaper. There is no labor in that country. We have to import all our labor over this section for our entire division. In fact there is no labor to employ along the line of our road except what is imported over this road after we get out 140 miles from here.

Q. State whether or not it is easy to retain labor out there?—A. Well, no, sir; it is a little difficult to hold white labor out in that country.

Q. Is there not the same difficulty to hold Chinese labor?—A. No, sir; we have no difficulty with them.

Q. What is the objection that seems to be made by white men or colored men laboring there?—A. It is an uncivilized part of the country. We have had no colored men on that part of the division ever since I have had charge, now two years. On the Galveston, Harrisburg and San Antonio road they use Mexican labor on that part of the road. They cannot keep white labor.

Q. (By Mr. BUCHANAN.) You say that there is no white labor out there, and the Chinese are not indigenous to that section?—A. They are imported.

Q. By whom?—A. I do not know; they were there when I came there.

Q. How long since?—A. Over two years.

Q. You found them there at work at that time?—A. Yes, sir.

Q. Do you mean that the Chinese will remain further beyond the outside boundaries of settlement than either white or black labor will?—A. Yes, sir.

Q. How do you account for that?—A. Simply because they do not mix with the American people. Their desire is to keep by themselves.

Q. But has not this whole country been settled by white men advancing beyond the boundaries of settlement?—A. Yes, sir.

Q. You say they are not cheaper than black or white labor. Are they paid the same rate per day?—A. Yes, sir; they are paid \$1.15 a day.

Q. Do you know anything of their habits of life?—They live about as well as I do.

Q. Have their own boarding house?—A. There is a cook house and sleeping house for them at each section, distinct from the section house.

Q. Do you say that it is impossible to secure white or black labor for the purpose of working that portion of the road?—A. I do not say it is impossible, but it would be very hard to keep them there.

Q. But has that been tested by actual experiment?—A. They had white labor on that division when the road was first built.

Q. The road was built by white labor?—A. Yes, sir; we have section bosses that are white.

Q. (By Mr. OUTHWAITE.) Have any white laborers applied for these places occupied by Chinamen?—A. No, sir.

THOMAS FIELDING sworn and examined.

By Mr. BUCHANAN:

Question. Are you master mechanic at Big Springs?—Answer. Yes, sir.

Q. Had you notice of the strike at the shops there?—A. Not more than ten minutes before it occurred.

Q. I will ask you the manner in which the strike was inaugurated?—A. I was approached by a machinist named Graham who was working in the shop. He is a master workman of the Knights of Labor Assembly No. 1250. On the 1st, ten minutes previous to the men going, he came and told me that they were ordered out on a strike. I asked him what had occurred, and he said they had to go out on the road. I asked him what were the grievances, and what they wanted. He said they had no grievances of their own, but that they had been ordered out. I asked him what was the cause of it, and he said he did not exactly know, but that it was on account of the discharge of a man by the name of Hall, at Marshall.

Q. And they went out, leaving the shops without any one to run them?—A. The majority of the men went out and left about half enough for me to get along. Of course they did not bind themselves by the order and did not feel that the order affected them, but that was very few. Others that felt inclined to stay with us were threatened in such a manner that they were afraid to stay.

Q. Give the number that left your employment?—A. I cannot state exactly, but should judge in the neighborhood of seventy-five.

Q. This man that you spoke of being a master workman in the Knights of Labor, how did you know that?—A. From having dealings with him in previous grievances, when he represented himself as the head of the committee; and of course it was an acknowledged fact that he was a master workman, and his name had been published as such.

Q. What is his name?—A. T. C. Graham, I believe.

Q. Give, in a general way, what damage they did to the property. Did they kill any engines?—A. Yes, sir; they killed engines and disabled them.

Q. How many engines were killed?—A. Disabling is different to the killing. They disabled seven one night, and one the night afterwards, about eight. That is all I had to report.

Q. After these men left the employment of the company did they take possession of the property?—A. They took possession, but remained away until the evening of the 3d.

Q. What did they do then?—A. Then they prevented the freight trains going.

Q. Did they return and take possession of the property there?—A. Yes, sir.

Q. And how long did they remain in possession, until what happened?—A. I saw them there from 9.30 p. m. to 2 a. m. the night of the 3d.

Q. Then what occurred?—A. Then they prevented freight trains going by pulling links and pins.

Q. When did this taking possession of the property by them occur and how was it terminated?—A. It was from 10 p. m. of the 2d. In the morning, they stopped that train going out and then came to the roundhouse and disabled seven engines.

Q. How long did they remain in possession of the property?—A. They came there on the night of the 3d, and then on the night of the 4th; the same occurrence happened between probably 11 p. m. and 1 a. m. of the night of the 4th.

Q. How was this state of things terminated?—A. It terminated in them disabling engines at that time. Then we had to close down business for four or five days, and did not attempt to do anything until the marshals came, which was about the 8th or 9th.

Q. The United States marshal and his deputies came there?—A. Yes, sir; he and his deputies came.

Q. They took possession of the property; and until they came was your traffic entirely interrupted?—A. It was entirely interrupted.

Q. Was there any interference with the employés by strikers?—A. Yes, sir; if you can call it interference to intimidate men.

Q. What did they do? How were men in the employ of the company interfered with by the strikers?—A. Well, by using threats at their boarding-house; telling them it was not safe for them to work; that the men who would work would be hung, and telling them what would be done if they did work.

Q. Was there any interference with the men working at the coal chutes?—A. Yes, sir; but that did not come exactly under my jurisdiction; I know that they were threatened that they would be killed, and some of them threatened to leave.

Q. How many trains were stopped and side-tracked at your place?—A. Well, there were only two trains stopped at Big Springs.

Q. What was the number of cars in each?—A. About fourteen in each.

Q. Can you approximate the number containing perishable freight?—A. I cannot tell, but probably six or seven.

Q. Do you know how long trains were detained?—A. Some six or seven days.

Q. You succeeded in moving trains out because assistance was given you by the United States marshal and his deputies?—A. On account of the protection given by them.

Q. And without such protection was it possible to move your freight?—A. No, sir; I do not think it was, and we tried it.

By Mr. OUTHWAITE. Is the rate of wages which was paid before September, 1884, fully restored at Big Springs?—A. Yes, sir; so far as I am able to know or judge, and I was there during both of those periods before and after.

Q. Is it not true that the failure to restore the September, 1884, rates has been a continual source of annoyance out there?—A. Well, there was some annoyance attached to that. I believe that might be the fact. I was made master mechanic of that division last July, and some men did complain that their wages had never been restored. I took the matter up with them and conferred with these men that were Knights of Labor, as they had a committee sent to me, to arbitrate the matter. I took the names and notes of everything I could and I got the company to advance their wages, which was perfectly satisfactory to them.

Q. Where were you born?—A. Manchester, England.

EDWARD H. MOORE sworn and examined.

By the CHAIRMAN:

Question. Were you the engineer running engine 571 on the 2d of March?—Answer. Yes, sir.

Q. While getting it ready to take out of the yard at Toyah, were you ordered off the engine?—A. Yes, sir.

Q. Did you decline to leave it?—A. Yes, sir.

Q. Were you pulled off the engine forcibly by the strikers? If so, what were the names of the parties?—A. I was pulled off; I recognized three of them—Holmes, Bradley, and Wells.

Q. Were they Knights of Labor?—A. They were with the strikers; I do not know whether they were Knights of Labor or not.

Q. Did the strikers put the engine in the roundhouse and kill her?—A. They ran her up on the turn-table track, dumped the fire, and killed the engine. The fire had been knocked out of other engines.

Q. Were you trying to leave Big Springs on the night of the 3d of March with train No. 315 and engine No. 556?—A. Yes, sir.

Q. Did they prevent you?—A. Yes, sir; they broke my cab light, and said it was dangerous to go out.

Q. What time of night did this occur?—A. I think about 9.55 or 10.15.

Q. Were the parties masked or otherwise?—A. Masked.

Q. Did you receive any warning not to go out?—A. Nothing, any more than one approached me and requested me not to take the train out that night. I told him the reason I was going out; and that I was going out if my engine went out.

Q. Was that all the warning you received to desist from work?—A. I was told that it was dangerous to undertake to run the train.

Q. Can you state any other acts of intimidation or violence that took place on the line?—A. Nothing that I saw further, that I was connected with.

FRANK B. BATEMAN sworn and examined.

By the CHAIRMAN:

Question. What is your position on the Rio Grande division?—Answer. I am a conductor.

Q. Were you so employed at the time of the strike?—A. Yes, sir.

Q. Did you run with Moore, the locomotive engineer?—A. Yes, sir.

Q. You have heard his testimony; do you corroborate his statement?—A. Yes, sir.

Q. Were you commissioned as a deputy United States marshal?—A. I hold a commission.

Q. Did you take charge of the train service on the 2d of March; and, if so, by whose orders?—A. By the order of Mr. Keller.

Q. And you came in communication with the railroad company's men?—A. Yes, sir.

Q. Have you any special statement to make in regard to intimidation on the line different from what we have heard?—A. No, sir; I believe not.

JOSEPH A. CARROLL sworn and examined.

By the CHAIRMAN:

Question. You live at Denton, and have lived there how long?—Answer. Thirty odd years.

Q. What was the general conduct of the strikers at that point?—A. There were not many strikers there. It is not the end of a division. It is only on the main road. One act of violence was the hurrying of a bridge north of Denton, just in front of the south-bound passenger train at night. I have been informed that there was no doubt it was the work of an incendiary. During the time of the strike a great many engines ran into Denton for protection, and we put extra police on the yard at the time. I do not remember the number, or that any special act of violence was done there at the time, except, perhaps, that three parties were understood to have attempted to remove some fish-bars.

Q. What was the effect of the strike on the business of Denton?—A. It completely prostrated the trade, and caused the stoppage of one mill that had a capacity of 200 barrels of flour a day. The general manager told me he had orders for thirty car-loads of flour countermanded on account of his failure to ship. The shipping over the road was entirely stopped and the wheat and grain buyers were compelled to suspend business altogether.

Q. Then in your opinion it affected the producers of the country just as much as it did the business men?—A. The heaviest loss was on the farming community.

Q. You have no idea of the general amount of losses on account of this strike at Denton?—A. Grain depreciated very considerably; and the grain market has not recovered since. We have a good deal of corn there we cannot hope to ship west because the grass has now come; and, therefore, the market is dead. This is a heavy loss to the farming community.

WILLIAM S. PARKER sworn and examined.

By the CHAIRMAN:

Question. Had any labor troubles begun about Denton before this strike?—Answer. Yes, sir; about a month before.

Q. State all you know about them?—A. The first labor troubles that commenced there was about a month before the strike. I was building there at the time, and the Knights of Labor organized a lodge there, and they boycotted me.

Q. What have its effects been on the railroad company. We have no right to investigate the matter as it affected individuals?—A. Then about a month after I saw the Knights on the railroad track stop. They stopped work on the yard and on the coal chute.

Q. That was when the general strike was ordered?—A. About that time; and about three or four weeks since they tried to turn a switch and throw a train off the track. They stopped the working of the coal chute.

Q. And disarranged the business of the company? What was the effect upon the trade and commerce of the country?—A. It was generally demoralizing.

CHARLES A. WILLIAMS sworn and examined.

By the CHAIRMAN:

Question. You live at Denton? Are you connected with any business there?—Answer. I am, sir, and have been trying to improve property there for the last four years.

Q. Will you state the effect the strike has had at Denton upon the merchants and farmers of the country?—A. Business is almost entirely paralyzed. Corn, off wagons, fell 20 per cent., and it was almost impossible to sell hay. The mills shut down and merchants could not get near all their goods.

Q. Do you mean that its effect was disastrous to the trade of Denton and paralyzed the business of the county and all the country tributary thereto, whether as a distributing or as a receiving point?—A. Yes, sir.

LEVI L. KELLER recalled and examined.

By the CHAIRMAN:

Question. Was the oil-house burned at Big Springs?—Answer. Yes, sir; and between \$5,000 and \$6,000 worth of property consumed. It was in the evening at 7.50. It was just getting dark.

Q. Have you any idea who did it?—A. I do not know. I wish I did. I have information that it was set on fire.

Q. (By Mr. OUTHWAITE.) Was there no chance for it to occur by accident?—A. Hardly. It contained oil, waste, and paints.

Q. Was not there a chance for spontaneous combustion?—A. Why, I do not know whether that occurs very often or not. But, in this case all the evidence went to show that it was set on fire. We had some evidence that a man was inside of the oil-house about ten minutes before it was set on fire.

MILTON W. CUNNINGHAM sworn and examined.

By the CHAIRMAN:

Question. At the time of the strike you were storekeeper and timekeeper on the Missouri Pacific Railroad, I believe?—Answer. Yes, sir.

Q. You had worked for the company since June, 1884?—A. Yes, sir.

Q. Were you in the employment of the company during the strike of 1885, and did not strike?—A. No, sir.

Q. You did not strike with the men in March, 1886?—A. No, sir.

Q. On the 8th of April, I understand, you were discharged, and you received no compensation from the company for labor done from March 10 to April 8, 1886?—A. No, sir.

Q. What was the reason you did not get your pay?—A. I do not know.

Q. You were in the employment of the company and labored for them in that time?—A. Yes, sir.

Q. Why did you not receive payment?—A. I have no idea. I only drew the amount for ten days' work.

Q. You did not go out on a strike?—A. No, sir.

Q. Whom are you at work for?—A. W. H. Radford, at Alvarado.

Q. Did you present your complaint to the company through any of the officials?—A. The only thing I complained of was that I did not get my pay. I had no complaint until then, and then I presented it to C. W. Clark, and have never heard from him yet. He never replied.

Q. Did Mr. Clark state to you if you were not a Knight of Labor you would have been held there?—A. Yes, sir.

Q. What did he mean by that?—A. I do not know.

Q. Are you a Knight of Labor?—A. No, sir.

Q. Have you ever been a member of the order?—A. No, sir.

Q. By whom were you discharged?—A. I was relieved on the 8th.

Q. Had you done anything?—A. I had carried my work on from the strike, and had done everything I was requested or asked to do by the foreman.

Q. This is an independent personal grievance of your own, and you are not connected with the Knights of Labor?—A. Yes, sir.

Q. Were you discharged without cause?—A. Well, I had done everything that was required by the foreman, and he had nothing against me, and made no complaint.

Q. Had the company work for you to do?—A. Yes, sir; the foreman said he had. I was working under the direction of the foreman.

Q. How many hours were the men compelled to work?—A. They worked eleven hours up to November.

Q. After that?—A. They worked ten hours.

Q. What were your instructions?—A. I had to mark the time on the book on the orders of the foreman. In marking it, each day's work the time was made as ten hours.

Q. Was any extra pay given for work done on Sundays?—A. There was to the machinists and blacksmiths, but not to the other hands.

Q. What time was it that these arrears were not paid you?—A. Oh, I just received pay for March—for ten days in March.

Q. How many days did you work?—A. Every day and part of some of the nights. I am foreman at nights. I worked thirty-one days during March.

MARION C. WADE sworn and examined.

By the CHAIRMAN:

Question. Do you live at Alvarado in this State?—Answer. Yes, sir.

Q. Did you see a letter written by C. W. Clark, master mechanic, to Mr. Frazier, the foreman at the roundhouse?—A. Yes, sir.

Q. What was the substance of the letter?—A. The letter was to the effect that he could employ men if they were not Knights of Labor, and if they were Knights of Labor and would withdraw he was to get their withdrawal card and place the same in the hands of the agent there, for they would be certified to the company.

Q. Do you know Mr. Clark's handwriting?—A. No, sir.

Q. Do you know his signature?—A. Mr. Frazier told me himself it was written by Mr. Clark. He received the letter himself.

Q. Was Mr. Frazier an officer of the company?—A. He is foreman of the roundhouse, and he showed me the letter and allowed me to read it.

Q. Was he in the employment of the company then?—A. Yes, sir; he told me it was from Mr. C. W. Clark.

Q. Do you know of any farmers against whom injunctions were issued?—A. I do.

Q. Do they live in town?—A. No, sir.

Q. Were they Knights of Labor?—A. They belonged to the order.

Q. Did the railroad run through their land?—A. The railroad ran through one of the men's land. He lived 4 miles from town.

Q. Had they anything to do with the strike?—A. No, sir; I did not see that they had anything to do with the strike.

JAMES C. CHILDRESS sworn and examined.

By the CHAIRMAN:

Question. Were you in the employment of the Missouri Pacific Railroad at the time of the strike?—Answer. Yes, sir.

Q. Had you been in the employment of the company over two years before that?—A. Yes, sir.

Q. Have you worked any overtime for which you have received no pay?—A. I did.

Q. Did you make application to the officials of the company for payment for the overtime?—A. I did not make special application. It is called for by the agreement.

Q. Did you make special application for it?—A. I have not.

Q. How did the company know that you had worked overtime?—A. Well, they have required us to do it there.

Q. And you expected to do that without notification?—A. It was agreed that we should have pay for overtime.

Q. You took it for granted if the foreman worked you over time you would get paid?—A. Yes, sir.

Q. But as you did not get it you did not make application for it?—A. No, sir; the agreement was that we were to get paid; and I expected to get it. If I had not, I would not have worked.

Q. You did not catch the idea that I suggest. Did I understand you to say that you did not think it necessary to make application as long as you worked for the company, or that they should pay you without making application?—A. No, sir.

Q. You say that the railroad company did not fulfill its contract made in March, 1885. In what respect?—A. They agreed to pay us overtime—one and a half time.

Q. In how many instances did you work that you did not get paid for your overtime?—A. As far as I am individually concerned, we were at work often.

Q. How many times?—A. It was a frequent business.

Q. How much would the company owe you if you were paid for all the time you think you are entitled to?—A. About \$200.

Q. For the time you were employed over time at the rate of time and a half?—A. Yes, sir.

Q. During all this time you have made no complaint?—A. I drew my check, and I made several complaints to my time-keeper there.

Q. Was he the man that was responsible?—A. He was the man to whom we looked to have our time rectified by.

Q. Do you know whether he ever referred it to the superior officials of the road or not?—A. I do not.

Q. Did you tell any officers of the road you had worked about \$200 worth of overtime during the period of two years, and that you had received no pay for it?—A. From the 15th of March, 1885, after that agreement was made, the time was sent up the first month in that way, and was not paid.

Q. Do railroads in this State, other than the Missouri Pacific, pay that rate, and did they at that time?—A. They do; the Santa Fé does for one.

Q. Is there any discrimination in the pay for the same work on the Missouri Pacific?—A. There is.

Q. Do men in the same class receive different pay?—A. They receive different pay at different points.

Q. What was the reason for that?—A. I do not know.

Q. Was that complaint presented to the railroad company?—A. It was.

Q. What was the reason given?—A. I do not know that we received any reply in regard to it.

Q. Are you a Knight of Labor?—A. I am.

Q. Were you a Knight of Labor then?—A. Yes, sir.

Q. Did you complain to the Knights of Labor?—A. I did.

Q. In the regular official way?—A. Yes, sir.

Q. Did the grievance committee act on your complaint?—A. They did.

Q. What was the effect of the presentation of your claim?—A. I did not receive any satisfaction at all.

Q. To whom did they make a presentation of it?—A. To some of the head officials, I suppose.

Q. Do you know the fact that it was presented to the company and' ignored?—A. Yes.

Q. When was that?—A. It was last June that the grievance was first made.

Q. (By Mr. OUTHWAITE.) Who was timekeeper?—A. Mr. Cunningham. I wish to state there that the first month after the agreement was made in March, 1885, the overtime was sent up to headquarters, and they sent back word that they could not allow any overtime. To work the men twelve hours a day and allow them ten hours for it. Mr. Cunningham told me that himself. I went to him' about it.

Q. Whom did you get that word from?—A. It was sent back to the timekeeper.

Q. Did he show a statement in writing to you, or was that a verbal statement?—A. He marked the time every day ten hours; but I worked twelve, and they allowed me ten hours' pay for it.

CHARLES MATTERN sworn and examined.

By the CHAIRMEN:

Question. Where do you live?—Answer. I live at Fort Worth now.

Q. Did you work at Alvarado in 1886?—A. Yes, sir.

Q. How long did you work there?—A. Fifteen months.

Q. What was your business?—A. Section foreman.

Q. On what road?—A. The Missouri Pacific.

Q. How long were you in the employment of the company?—A. I commenced in April, 1885, and was discharged March 10, 1886.

Q. Did you engage in the strike of March, 1886?—A. No, sir.

Q. Why not?—A. I had permission from my assembly to stay at work.

Q. For what reason?—A. To go over the road and see that the road was in good order.

Q. Did your local assembly permit you to remain at work and go over the road and see that it was in good order for passenger trains?—A. Yes, sir.

Q. Were you discharged?—A. Yes, sir.

Q. Who discharged you?—A. J. M. Gaunt, road-master.

Q. When did he discharge you?—A. He told me I was a Knight of Labor, and it was reported I took part in the strike.

Q. How could that be when you were in the employment of the company while the strikers were out?—A. I do not know how. He wanted me to go to work; I told him I could not get any men; that men would not work, and I could not fix the road myself.

Q. Did he discharge you then?—A. No, sir, it was not then; it was about four days afterward he laid me off.

Q. Have you made application for reinstatement?—A. I do not want reinstatement as long as they discharged me for being a Knight of Labor; if they do not want to take me back of their own free will, I do not want to go. I am not doing anything.

Q. Have you a family?—A. I have a wife and two children.

Q. Have you anything to depend upon besides your wages?—A. I have not.

Q. And do you prefer to remain idle rather than apply to the company?—A. I am looking for work. I did apply to the company once—about the 20th of March—the time this strike was ordered off, the last of March. I told them I was ready to go to work. I applied to the division road-master.

Q. When you were denied employment what was the reason given?—A. Upon the ground that I took part in the strike, and as a Knight of Labor.

Q. And you say you did not take part in the strike?—A. They laid me off and took my box, and did not say anything about discharging me.

Q. Substantially, as I understand it, your testimony is that you were discharged without any notice or cause; that you did not go on the strike; and that when you went to seek reinstatement you were denied employment because you were a Knight of Labor, and that no other cause was assigned?—A. They never told me anything else.

J. M. GAUNT sworn and examined.

By Mr. OUTHWAITE:

Question. What position do you hold?—Answer. I am division road-master of the Rio Grande division.

Q. Has the place of Mattern been supplied?—A. I cannot tell.

Q. How was it that he took part in the strike?—A. He said it was reported that way, but that he had not taken any part in the strike.

Q. Did he try to get men to work, or did he just simply quit?—A. He said that the men who had been working for him would not go to work until the strike was over.

Q. Did you go to anybody else?—A. I went to two or three, but they would not work.

Q. You do not know whether that work was done by the man who succeeded him?—A. It was done; that is what I was informed afterwards; but I do not know who did it.

JOSEPH P. SMITH sworn and examined.

By Mr. OUTHWAITE:

Question. You may state what official position you were holding at any time recently in the city of Fort Worth.—Answer. I was mayor of the city of Fort Worth during the month of March and until the 15th of April.

Q. I will ask you to tell whether the police force was sufficient to control or disperse the strikers who were interfering with the movement of trains.—A. They were not.

Q. State what the general effect of the strike was on the commerce of the city and county.—A. It was quite disastrous; I think almost paralyzed the commerce of the country.

Q. Have any estimates been made as to the actual loss in money?—A. I have not made any estimates, and I have not conferred with any one who has.

Q. Mention what branches of the wholesale business are conducted in this city?—A. The implement business, dry goods business, hardware; they do quite a wholesale trade.

Q. These men get their supplies from what part of the world?—A. I think that they get them from Saint Louis, Kansas City, New York, and New Orleans.

Q. Were their obtaining supplies retarded by the strike?—A. I so understood it from the merchants themselves.

Q. To what towns from this city are such goods distributed?—A. They are distributed by the Missouri, Kansas and Texas, and Gulf, Colorado and Santa Fé; west over the Texas and Pacific; east and north over the Texas and Pacific.

Q. Is there any commerce with Mexico from this point?—A. To some extent.

Q. You state your force was inadequate to suppress the disturbances during the strike?—A. The last day of March or 1st of April I was compelled to commission ten extra policemen. Prior to that, however, Mr. Cabell, who is United States marshal, had twenty-three men when he was here, but he only seemed to have control of the Texas and Pacific. About the last of March or 1st of April I commissioned ten special policemen, and they

were under the charge of Mr. Rea, the city marshal, for the purpose of protecting the Missouri Pacific traffic moving in and out of the city. On the third morning a train was moved on the Missouri Pacific, going south. It was waylaid about 2 miles south of the city. Two special policemen whom I had commissioned were seriously wounded, and one of them has since died. Policeman Townsend died. Sneed was seriously wounded, and Fulford, a regular policeman, was dangerously wounded.

Q. You may state what further effort you made by appealing to the governor for troops?—A. After that occurrence I went down to the Union Depot here, and I saw there was a great crowd about the depot. Then I issued a proclamation and appointed 75 extra policemen to protect the property of the city and the railroad companies here. Later in the evening, probably about 7 or 8 o'clock, I telegraphed to Governor Ireland, stating in effect that we were threatened with serious trouble and that I thought the presence of the military would save us from an ugly riot. At 9 o'clock I received a telegram from him authorizing me to call upon Captains Cook and Houston, at Dallas, for two companies. I did so about 11 o'clock that night, and they were here probably by 2 a. m. The next morning the Adjutant-General, Mr. Keen, came in, and troops arrived from Houston. By 10 or 11 o'clock that morning we had dispersed the crowd from about the Union Depot. Prior to that time it could not be distinguished who were the rioters and who were not.

Q. What number of troops were here?—A. Somewhere toward two or three hundred.

Q. What was the general effect as to restoring order?—A. They had the effect to restore order very promptly.

Q. Were you acquainted with many of the strikers?—A. I knew a few by sight, and some of them I knew their names; but I was not personally acquainted with them.

Q. What, if any, general statement was made as to the cause of the strike by them?—A. I saw no man who had any grievance of his own, or who alleged any misconduct towards himself on the part of the company, or of the several railroad companies. There was a general allegation of inadequate wages, especially to the section-men; but I saw no section-man who was complaining about his wages, and heard no complaint of the sort.

Q. What authority had the city police to go 2 miles out of town?—A. Well, sir, they had this authority: It was three-quarters of a mile, or over a mile from the depot to the city limits, and I take it that the policemen in taking a train out of town had authority to take it beyond danger. The defense is endeavored to be made for murder and ambush, because they thought the policemen had no business there. I considered it their duty that they should go one or five miles, and that it would not make any difference.

Q. Does the position of policeman invest a man with authority co-ordinate with the county?—A. Well, sir, I never thought of that. I think that they would have authority to protect property and apprehend criminals in any portion of the county, or out of the county. That is my opinion of it. I would state that I advised the marshal and police that they had authority to protect the property, and advised them not to go outside of the county line; that they had no authority to go to Alvarado, or that far. But anywhere within the county they could protect the movement of trains and the parties moving them.

JOHN T. SUTTON sworn and examined.

By Mr. OUTHWAITE:

Question. I understand you are the engineer of 556, on the train which was ordered to run through Toyah without stopping?—Answer. Yes, sir.

Q. That was the train before which a switch was thrown, and then thrown back again?—A. Yes, sir.

Q. By whom was it thrown?—A. I cannot say; I have heard the name since.

DANIEL J. LIGON sworn and examined.

By Mr. OUTHWAITE:

Question. Where were you at work for the Texas and Pacific road during the month of March?—Answer. I was hostler at the Big Springs roundhouse.

Q. What are the duties of that position?—A. To take the engines into and out of the house.

Q. What do you know of any attempts to interfere with the movement of trains at the time the strike began or afterwards?—A. Well, I was there on the night of the 4th of March, and saw about two hundred masked men come there that night and cripple several of the engines.

Q. How many engines?—A. I do not know; but about six or seven.

Q. What else do you know about stopping the movement of trains?—A. I only know that they disabled these engines. I do not know of any movement to stop trains.

Mr. BUCHANAN. Were these engines that had been disabled ordinarily used in the movement of freight trains?—A. Yes, sir.

Q. (By Mr. OUTHWAITE.) What occurred on the 8th of March in this connection?—

A. On the 8th—I think that was the night that they came in and disarmed the guards and disabled the stationary engine.

MARTIN B. LLOYD sworn and examined.

By Mr. OUTHWAITE:

Question. How long have you been a citizen of Fort Worth?—Answer. Since 1869.

Q. What business have you been in?—A. I have been a banker part of the time.

Q. Were you living here during the recent strike?—A. Yes, sir.

Q. Just state to us generally the effect that it had upon the business of the city.—A. It paralyzed trade to a large extent and stopped the movement of freight in and out of the town.

Q. The distribution of goods and the receipt of goods was almost prevented?—A. The movement of freight was almost stopped.

Q. Have you ever heard any estimate made in dollars of the amount of damage that the strike did to the town?—A. I have not.

Q. Have you any estimate of the wholesale business done in Fort Worth?—A. I have never figured it, but it is very heavy.

Q. This strike resulted in paralyzing business for a certain length of time?—A. Yes, sir.

Q. Generally what was the effect besides upon the peace and quiet of the community?—A. The people were terrorized.

Q. Was there any feeling of uncertainty?—A. Yes, sir; and of unsafety.

Q. What branches of wholesale trade are conducted here?—A. Well, sir, every branch, dry goods, groceries, hardware, agricultural implements, and flouring mills.

Q. Whence did they receive their supplies?—A. From New York, Saint Louis, New Orleans, and other points.

Mr. BUCHANAN. And they are distributed to what points?—A. To many parts of Texas, some to Colorado, and some to Mexico.

WILLIAM F. LAKE sworn and examined.

By Mr. OUTHWAITE:

Question. Are you in the hardware business here?—Answer. Yes, sir.

Q. How long have you been in that business?—A. Ten years.

Q. How many other firms are there engaged in the wholesale hardware business in this city?—A. I think there are three others that do some jobbing.

Q. Did you ever make any estimate of the amount of the wholesale hardware trade done in this city?—A. I have made an estimate of the amount of business done; but I do not recollect what the amount is.

Q. Can you give us an approximate opinion; if so we would be glad to have it?—A. It is somewhere near \$450,000 or \$500,000 of hardware, not including implements and machinery.

Q. You receive this hardware from what States?—A. Most of my hardware is from agents in New York, and is manufactured in different parts of the country; heavy hardware at Pittsburgh, Pa., and Nashville, Tenn.; stoves from Louisville, Ky.; and stoves and mantles from Cincinnati, Ohio, and Saint Louis, Mo.

Q. State whether receiving goods was interfered with by the strike, and for about how long.—A. The receipt of goods was interfered with very materially for thirty days or longer.

Q. It has been testified here that very many persons were terrorized over by the strikers. You may also state whether that was the case in regard to yourself.—A. I do not understand in what way. They made threats to me; I was told they threatened to burn my place of business and threatened to kill me.

Q. For what reason or cause?—A. Because I had expressed myself pretty freely in regard to it.

Q. Did you express yourself favorably or unfavorably to the cause of the strike?—A. I was very much opposed to the strike.

Q. By whom were you threatened?—A. I was told that one man of the name of Miller—they said his name was Miller—made that threat respecting me.

Q. Were any threats made directly to you?—A. There were none.

Q. Did you receive any authentic notice from any of the Knights of Labor that if you did not change your course in regard to the strike certain persons would not deal with you?—A. I was notified that I was going to be boycotted.

Q. Were you actually boycotted?—A. I never could find out. They never served any notice. One of the knights told me that would be done.

JOSEPH H. BROWN sworn and examined.

By Mr. OUTHWAITE:

Question. How long have you resided in the city of Fort Worth?—Answer. Fifteen years and over.

Q. What business have you been engaged in?—A. In the grocery business.

Q. Wholesale or retail?—A. Wholesale.

Q. How many wholesale grocers are there in the city?—A. Four.

Q. Have you ever made an estimate of the amount of wholesale grocery business done in this city in a year?—A. Yes, sir.

Q. What would be your estimate as to what was done in the last year?—A. About \$2,800,000.

Q. State whether this business was interfered with in any way by the strike?—A. Yes, sir; it was.

Q. How?—A. Well, the strike paralyzed business. We were unable to ship goods for several days, and it just demoralized all business.

Q. How about receiving goods?—A. We had goods out seven weeks that naturally would have come through in two weeks.

Q. Do you know whether the merchants in the same line of business were affected injuriously in the same way?—A. Yes, sir; I understood so.

Q. Has any estimate been made as to the amount of injury inflicted upon the wholesale grocery trade by this strike?—A. I can only speak for myself. It has made a difference in my sales since the strike of about \$35,000 a month.

Q. About what per cent. would that be?—A. About 32 per cent.

Q. Are there any other facts in this same direction that you can inform us upon?—A. Well, it has been a great inconvenience to us in many ways, and unpleasant to us during the riot here. We had to keep armed men in the house to sleep there over night. And it was very unpleasant in a very great many ways.

Q. Was there a feeling of unsafety?—A. There was a feeling of unsafety.

Q. What is the probability of this loss of sales which you mentioned being made up now that transportation has been again restored?—A. I do not know, sir. We will not get over this thing for probably a year. A great many cattlemen come here to buy cattle, and my customers wrote me that there has been no incitement to ship. They could not ship them because of the uncertainty. And then in the country a great many have been living from hand to mouth and getting along without some goods that they actually needed.

The CHAIRMAN. Has not there been a general stringency in the cattle market on account of the strike affecting the security of money, and an indisposition of northern cattlemen to buy on account of the loss which took place in the northern territories?—A. No, sir; I am not posted about cattle, and know nothing but what my customers write me.

DAVID STEWARD sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside, Mr. Steward?—Answer. I live two miles out of town.

Q. What is your business?—A. I am a dairyman.

Q. Did you see the shooting at the officers during the recent strike?—A. I did, sir.

Q. State, in as brief a way as possible, all you saw?—A. Well, now if you understand anything about it—

Q. (By the CHAIRMAN.) When the train was coming up from Fort Worth did you see four men near the switch?—A. Yes, sir, I did.

Q. These four men were arrested?—A. Not to my knowledge; I have heard that they were. But understand that I was at first 250 or 300 yards away.

Q. Did you see the shooting between these men and the police?—A. I saw the shooting between some men and the police.

Q. Which men fired first?—A. I think the strikers fired first. Two neighbors of mine by my side said the others fired first. But they were so close together that it was hard to distinguish.

Q. (By Mr. BUCHANAN.) No time was lost?—A. No, sir.

Q. (By the CHAIRMAN.) Were two of the strikers injured?—A. Only one, to my knowledge.

Q. One of the policemen shot died?—A. I have heard that he did.

Q. Who was the man by your side?—A. Mr. Luther.

HERMAN L. GILL sworn and examined.

By Mr. BUCHANAN:

Question. What is your employment?—Answer. I am foreman of the water service on the Rio Grande division of the Texas and Pacific.

Q. And have been since when?—A. Since 1884.

Q. On the 10th of March last did you receive a note from Dan Howden, a pumper at Weatherford, and what was the effect of it?—A. It was that he was ordered out.

Q. And did you get another from George Long, a pumper at Aledo, and what was that about?—A. That he was ordered out—the same thing.

Q. Did they quit work?—A. Yes, sir.

Q. Who had you at Worth?—A. W. S. Hines.

Q. How long did he work?—A. Two days.

Q. What reason did he give for leaving?—A. The Knights of Labor asked him not to work there.

Q. Coming to the Aledo tank, what did you find there?—A. I found the pump and boiler disabled.

Q. How was the pump disabled?—A. Some pieces of the engine were taken away and the water was let out.

Q. Have those pieces since been found?—A. No, sir.

Q. After you repaired the pump machinery at Aledo did you place a pumper in charge?—A. Yes, sir.

Q. Where did he sleep?—A. In the pump-house.

Q. What happened the first night he slept there?—A. The first night, I think, there was a mob came down there and threatened to break into the pump-house.

Q. Were any shots fired?—A. Yes, sir.

Q. Was he notified to leave?—A. Yes, sir.

Q. Do you know the names of the parties who notified him?—A. I do not.

Q. Do you know the names of the parties who fired the shots or made the threats?—A. No, sir.

Q. What information did you receive along the line of the road from the pumpers?—A. That they had been requested by the Knights of Labor to quit work and empty their tanks.

Q. What reason was given, or what was the reason?—A. It was to stop the running of trains; that was the opinion generally.

Q. Did they say anything about their having grievances against the company?—A. They said they had none.

Q. Did you succeed in persuading some of them to continue at work?—A. I did with some of them.

Q. Would it be possible to run the mail trains without these tanks were kept filled with water?—A. It would not.

Q. Then this interference with the tanks was an interference with the passage of the mail trains?—A. It was.

Q. These tanks that you spoke of are tanks that hold water to supply the tanks of engines, and without a supply of water these engines cannot run?—A. Without a supply they cannot run.

Q. You succeeded in persuading all the pumpers to remain at work?—A. Yes, sir, I did, except three of them.

Q. Were those three places filled by others?—A. Yes, sir.

Q. If the tanks were destroyed the trains would not be able to run; do the passenger trains take water from every tank?—A. Passenger trains do not water at every tank.

JOHN C. MUIR sworn and examined.

By Mr. OUTHWAITE:

Question. Are you pumper at Aledo?—Answer. Yes, sir.

Q. When were you placed in charge of the tank at Aledo?—A. On the 12th of March.

Q. Where did you sleep that night?—A. In the pump-house.

Q. Did anybody visit you there?—A. Not the first night.

Q. Did anybody visit you the next night?—A. Yes, sir.

Q. Who?—A. There were ten or twelve men, I do not know all their names.

Q. Do you know some of the names?—A. Yes, sir.

Q. Were they former employés of the company?—A. Yes, sir.

Q. Were they then in the employment of the company?—A. One of them was.

Q. Give the names of those whom you knew.—A. Sam Napier, foreman of the section, John Napier, and a man by the name of Johnson, but I do not know his initials,

and a man by the name of Neal. These were all the men I knew that came the second night I was there.

Q. What did they say?—A. They came there with the intention of destroying the pump. We had just repaired the pump. The pump had been destroyed. I went to the window and made some remark about having it locked up.

Q. Did they make any other threats?—A. No, sir.

Q. Did they say anything about burning the house?—A. No, sir; not at the time they did not.

Q. Did anything further occur the next night?—A. On Tuesday night two shots were fired through the house.

Q. How do you know?—A. The holes were there, and I was in the house at the time.

Q. How near did the shots come to you?—A. I suppose they were about four feet from where I was.

Q. Did you receive a visit from a committee after that?—A. No, sir; I received a visit from a committee of three on the first day of my arrival at Aledo.

Q. What did they ask you to do?—A. They asked me to leave, and asked me if I would not strike, and told me that they advised me to walk out.

Q. Who were they?—A. Sam Napier, Johnson, and a man by the name of Neal.

Q. Does that tank supply passenger trains, and are passenger trains mail trains?—A. It does some; not all of them.

Q. And trains which carry the mail?—A. Yes, sir.

Q. Is the mail carried on all passenger trains on that road?—A. I do not know about that.

THOMAS E. BLAIR sworn and examined.

By Mr. OUTHWAITE:

Question. What railroad company have you been working for, and in what capacity?—Answer. I have been working for the Missouri Pacific as a coal-heaver.

Q. Did you ever work overtime and get pay for it, or did you work and not get pay for it?—A. I worked overtime and did not get pay for it.

Q. How much did you work?—A. Twelve hours a day.

Q. Did you ever bring this to the attention of the company?—A. I brought it to the attention of C. B. Frazier, foreman of the roundhouse.

Q. What did he say about it?—A. He said that none but machinists were entitled to that extra pay.

Q. Do you know how much the company would have to pay if you were paid for the time you claim?—A. About \$200.

Q. Why did you let it run so long?—A. He just said nobody was entitled to that extra pay but the machinists.

Q. You accepted that explanation?—A. I did.

Q. Did you do anything further after you had made that statement to him about not being paid?—A. I took it to Cunningham, the time-keeper, a time or two, and he said it would not be allowed to be sent.

Q. So that the day's work consisted of twelve hours instead of ten?—A. We had to work about twelve.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Did you ever carry that grievance to the assembly?—A. Several times during the time I worked there.

Q. Do you know whether they ever took it to the railroad company?—A. It is my impression they did; but I cannot be positive.

Q. How many hours did you actually work during the twelve hours that you staid there?—A. Well, sometimes we were not very badly pushed and did not have to work the full hours, and then there were times when we worked so hard that I did not have time to eat my dinner.

Q. Were there not many days when you did not have to work six hours a day?—A. Well, I suppose that we were working there. We had to be on duty.

Q. Suppose you put together the time that you worked a few hours and the times that you worked as many as twelve hours, would they make more than ten hours a day?—A. I think so.

Q. How much pay did you get in the month of March, 1886?—A. \$2.80, and I worked the whole time.

Q. Have you ever made application to the company for the remainder of your pay?—A. No; that was the amount of the check that they brought around on the last pay day.

Q. How do you explain that amount?—A. Well, the check only called for \$2.80.

Q. How long had you worked?—A. I worked till the 29th day of March coaling the passenger engines. Me and my brother coaled every passenger train right up to that time.

Q. Then you did not strike?—A. Well, my sympathies were with them. I did not strike, because I never quit work.

Q. You did not know how it has been that you did not receive the full amount of pay for that month?—A. No, sir.

Q. Do you claim that you only got \$2.80 for the full month's work up to the 29th of March?—A. That is all I got?

Q. Were you on hand when the pay-car came round the last time?—A. Yes; I was there, and received my check for \$2.80.

Q. You have not got that mistake corrected yet?—A. No, sir.

Q. Have you spoken to any officers of the road concerning it?—A. I saw Mr. Cunningham. He said he had sent in full time, and I think I will go round and see if it does come with the next pay-car. I have also nine days in April.

Q. Did you coal engines for the Knights of Labor during the strike?—A. For Knights of Labor? I do not know whether they were Knights of Labor that we coaled for. We coaled for the Missouri Pacific Company. I do not know whether it belongs to the Knights of Labor.

ALEXANDER C. MCKEAN sworn and examined.

By Mr. OUTHWAITE:

Question. How long have you been in the employ of the company?—Answer. Ever since the 15th of December, 1884, for the Missouri Pacific.

Q. What at?—A. I set in as wiper. I wiped until October and then I went into the car-repairing shop.

Q. How long did you work?—A. For eleven hours as a day's work.

Q. Somewhere between eight and ten months?—A. I do not know exactly the time. I work eleven hours a day and receive ten hours' pay.

Q. Did you receive extra pay for such work?—A. No, sir; not a dollar.

Q. Did you present any complaint on this account to the officers of the company?—A. I did. I talked to the foreman about it, and said to him, if I cannot get eleven hours' pay I ought not to work that time, and he said that was orders to work his men as he had been—that is, eleven hours—and send their time in as ten. That was the time they worked them all up to the agreement of 1885, and then it was agreed that ten hours should be a day's work. I asked the foreman about that, and he said he had instructions to work his men as he had worked them, and I told him if we could not get eleven hours' pay we ought not to work eleven hours.

Q. Did you take that grievance to the Knights of Labor?—A. I do not belong to the Knights of Labor.

Q. (By Mr. BUCHANAN.) What is the name of that foreman to whom you complained?—A. C. R. Frazier; I believe that is the way he signs his name. He is pretty well known. After I went to car-repairing I worked some four, five, or six months there, and I had some extra time. It was sent in and it came back there, and then the timekeeper told me not to bother him about it, and he would send it in as extra time again if desired. They wrote back that all extra time would be paid in February. I did not get it then, and I went again to the timekeeper, and he said he would write about it, and he has written about it and has received no answer. It was \$8.35, and I have never got it yet. I did not strike. I attended to the passenger trains and did all the work that was for me to do through the strike, and when I got this notice from Mr. Hartigan that my services were not needed I do not remember exactly how the discharge read—I expect there is one here somewhere. I went to the foreman and he went to Mr. Clark, who said he had all the men he needed. I worked all during the month of March, and was only paid \$14.90 for the full month's work in March. Since that I have not worked any, and do not want any if that is the way I am to get my pay.

Q. (By Mr. OUTHWAITE.) Did you speak to any officer of the road about that?—A. I talked to the foreman about it and to Mr. Cunningham. He said he had written about it, but has not got an answer.

Q. (By Mr. BUCHANAN.) Did you receive orders from any one not to work on freight cars?—A. No, sir; there were no freight cars to work on. There were none in bad order. I had got up with my work just when the strike came on. They never run any freight cars, and there was no repairing to do.

Q. What particular kind of work did you do?—A. I had to put in draft timber and other pieces, and decks, and such as that.

Q. Did you ever learn any trade?—A. Well, I do not know hardly how to answer that question. I am a sort of Jack of all trades, but good at none, but work a little at nearly everything that I claim to understand.

Q. Did you serve a regular apprenticeship to any trade?—A. No, sir; I never did.

W. E. CABELL recalled and examined.

By Mr. OUTHWAITE:

The WITNESS. I had to keep guards at the coal chute at Gordon; that is, there was no one at the coal chute, no coal heavers, and we had to shovel the coal down there with the deputy marshals to run the engines, and had to keep three or four men to guard the coal chutes all the time.

Q. Did you come in contact with the men who went out on strike?—A. I did.

Q. State what reasons they assigned for going on the strike.—A. They never assigned any reason except that they were ordered out. I never have seen a single man except one who said he had a cause for striking. He was a section hand, and said that he did not get enough pay. All the others said they were ordered out. I never have heard one of them express any other idea, or that they could give any reason for the strike. They would come to our house at night and ask if I could go and get work for them. I do not believe that they knew what they were doing, but I never could get out of them why they were ordered out.

Q. (By Mr. BUCHANAN.) Was this supply of coal for these chutes necessary to the running of passenger and mail trains?—A. Yes, sir.

Q. Did you inform any of these parties that had interfered with the chutes that they were obstructing the mail trains?—A. Yes, sir.

Q. And warned them of the consequences?—A. Yes, sir; I warned them all wherever I went.

THOMAS E. GERREN recalled and examined.

By Mr. OUTHWAITE:

Question. How many strikers did you come in contact with in the course of your business?—Answer. Since I have been here I think I have met between 1,500 and 2,000.

Q. What statement, if any, did they make as to their cause for the strike?—A. I never heard any of them give any cause except that they were ordered to strike.

Q. Did any of them state what grievances they had upon which they struck?—A. That they were ordered out is all that I have heard them say.

Q. Are you a Knight of Labor?—A. No, sir.

Q. You say you have talked with quite a number of them?—A. Yes, sir.

Q. State whether or not you generally heard them talk.—A. Yes, sir; I have heard a great deal of talk by them.

Q. As to the cause of the strike?—A. Yes, sir. I have heard them talk a good deal about it; quite a number of them that were concerned in it.

Q. You say that they gave no special reason for the strike?—A. I never heard any.

W. F. MORTON recalled and examined.

By Mr. OUTHWAITE:

Question. I recall you to ask you also whether during the last two months you have come in contact with any men who went on a strike on either of the roads?—Answer. Yes, sir; a great many of them.

Q. Did you hear them talk about the strike?—A. Yes, sir. Some of them I have, and some of them I have not. I have heard a good many of them talk about it.

Q. State what inquiries have been made in your presence or by yourself of them as to what cause they gave.—A. I have asked some of them and the reply generally was that they were ordered out by somebody who had charge.

Q. What grievance did they say that they had for going out?—A. I never heard. I heard some of them speak of this man Hall, and some of them abusing Jay Gould; and that is about all that I could state that I heard them say.

Q. Of what did they accuse Jay Gould?—A. They cursed him, and said that he ought to be hung.

Q. They did not charge him with causing the strike?—A. Yes, sir; but the general excuse for going out was that they were ordered out.

Q. Are you a member of the order of Knights of Labor or any other organization?—A. No, sir.

Q. I am requested to ask you this: Did the strikers generally make a confidant of you as to their grievances?—A. No, sir.

Q. Did any of them in your presence say that they were not at liberty to state why they had gone out and that there was any reason for concealing it?—A. No, sir.

THOMAS E. GERREN recalled and examined.

By the CHAIRMAN:

Question. Did you hear any of the strikers curse the United States court, the United States marshals, and the whole business done at Fort Worth?—Answer. I did.

WILLIAM A. COOPER sworn and examined.

By the CHAIRMAN:

Question. Are you a line repairer on the joint track?—Answer. Yes, sir.

Q. Did you receive any notice in reference to your conduct?—A. No, sir; I did not.

Q. Have you received a notice to rid yourself of "scabs" and take warning?—A. Yes, sir.

Q. Is that the notice you received? [Handing witness paper containing the words "rid yourself of scabs. Take warning."]—A. Yes, sir.

Q. Do you know where it came from?—A. No, sir.

Q. Where did you find it?—A. I found it under my door-sill.

Q. Have you telegraph operators boarding at your house?—A. Yes, sir.

Q. What were they called?—A. The first lot "strikers," and the second lot "scabs."

Q. What is the difference?—A. The "strikers" are those that went out, and the "scabs" those that came and filled their places.

Q. What were the names of the "scabs"?—A. One of them was named Kelson, and the other named Lackey.

WILLIAM H. ABRAM sworn and examined.

By the CHAIRMAN:

Question. Examine this affidavit. [Handing paper to witness.] Is it true?—A. Yes, sir.

The affidavit was here introduced, and is as follows:

W. H. ABRAMS being called upon by the receivers, answered in full in response to questions, as follows:

Q. 1st. Are you now connected with the Texas & Pacific Ry. Co.; and, if so, when did your connection commence, and has it been continuous, and what have been your duties in regard to the lands, town lots, and other real estate of said ry. co.? State fully and particularly.

Q. 2nd. During that period of time who has had exclusive control of the lands, town lots, and other real estate of said road; who has made the sales; who has collected the purchase-money, and who has had charge of the modes and methods of collecting purchase-money by ordinary or extraordinary methods, and has any one but yourself had such control?

Q. 3rd. It has been stated that evidence was taken in Washington city, before this committee, tending to prove that the employes of the Texas & Pacific Ry. have been harshly dealt with by the company in cases of purchasing lands or lots, and that they were unfairly dealt with by the railway company, resulting in a surrender of property and partial loss of the purchase-money actually paid, and in fact that they have, in instances, paid nearly all the purchase-money, and then, by methods of unfairness, the lands have been taken back, and such employes are now living on the town lots and pay rent for same to the company. Please state whether there is an instance or instances of this character; and if there is any doubt examine the books & papers and refresh your recollection, and give instances, if any there be, by names of parties, the exact location of the property, the amount of the proportion of purchase-money which had been paid and amount now being paid, and amount now being paid for rent, or any other facts that may be beneficial to either side, or in any ways tending to prove the truth or falsity of this charge.

Q. 4th. Has a single instance occurred since your connection with the Texas and Pacific Ry. Co., where a lien has been enforced upon lands, town lots, or other real estate sold to one or any of its employes? If so, give names and all particulars.

Q. 5th. State any other facts that may be within your knowledge that will tend to elucidate these questions on one side or the other.

Answer to 1st interrogatory. I am connected with the Texas and Pacific Railway Company, and have been since September 20th, 1873, and my connection has been continuous from that until now. From the said date until some time in the month of April, 1875, I was assistant land commissioner of said company, the Hon. J. W. Throckmorton, representing in the present Congress the fifth Congressional district of the State of Texas, and being my principal and land commissioner of said company. Upon his resignation as land commissioner in April, 1875, I was promoted to the position of land commissioner

of the said company, and as such have had entire charge and supervision of all the sales of lands or town lots made by said company.

Answer to 2nd interrogatory. Since some time in April, 1875, I have had exclusive control of the lands, town lots, and other real estate of said company; have made the sales; have collected the purchase-money, and have had charge of the modes and methods, both ordinary and extraordinary, in the matter of said collections, and no one else has had such control, and I may say that, practically, I have had such control from the date of my original appointment as assistant land commissioner in September, 1873.

Answer to 3rd interrogatory. In answer to the said 3rd interrogatory, as set forth above, both from my personal recollection and a careful examination of the records of this office, I state most positively that this company or no one whom I have represented have ever been charged with dealing harshly with purchasers of properties, whether employes or others. We have uniformly extended time of payment to all purchasers when requested, and in many instances these extensions have covered periods of two or three years.

Answer to 4th and 5th interrogatories and further answer to interrogatory 3rd. My connection with the department dates from its organization and covers a period of nearly 13 years. In all that time only four foreclosure suits have been instituted against delinquents, purchasers of town lots. The total amount of money involved in said four suits was only the sum of \$668.50. The last of these suits was instituted more than seven years ago. Reasons prompting the institution of the suits in question were not only the failure of the parties to pay the amounts due the company, but their failure to pay the taxes on the properties and thus allow tax liens to intervene, which would render the company's lien on the properties for deferred payments valueless. Whether or not any of the parties in question were employes of the company I do not know, but I think not. In no instance is any one, whether an employe of the company or not, now occupying any properties as a tenant upon which there has been any agreement to purchase and a portion of the purchase-money paid and the purchaser wrested of the property on account of his inability to pay.

W. H. ABRAMS,

Land Commissioner the Texas and Pacific R'y Co.

STATE OF TEXAS,

County of Dallas:

Before me, the undersigned authority, on this day personally appeared W. H. Abrams, who having been by me duly sworn, on oath says that he is land commissioner of the Texas and Pacific Railway Company, and that his answers to the foregoing interrogatories are true.

W. H. ABRAMS.

Sworn to and subscribed before me this 4th day of May, 1886.

Witness my hand and official seal.

[SEAL.]

LAFAYETTE FITZHUGH,

Notary Public, Dallas County, Texas.

Q. (By Mr. OUTHWAITE.) Do you know of any case in which the employes of the road have purchased town lots or homestead or country property on the installment plan and after paying all up to the last payment were discharged from the company's employ, and thereby lost their property?—A. Not a single instance.

Q. Or in consequence thereof has the company had to take possession of the property either under its contract or foreclosure?—A. Nothing of the kind has occurred.

Q. (By Mr. BUCHANAN.) Has any instance occurred where several installments had been paid preceding discharge, but not the last installment, and the property then forfeited?—A. Not an instance.

Q. There has been no instance of forfeiture of such lands or homesteads on account of failure to pay an installment, such failure being the result of discharge from the company?—A. None whatever, sir.

WILLIAM E. FARMER sworn and examined.

By Mr. PARKER:

Question. What is your business?—Answer. I am a farmer, sir.

Q. You have a farm in this vicinity?—A. It is a hundred miles from here.

Q. How long have you been engaged in farming?—A. Very nearly all my life.

Q. What is the place of your birth?—A. I am a Georgian by birth, sir.

Q. Have you considered the cause that in your judgment led up to this strike?—A. Yes; I have thought a great deal about it.

Q. You may now go on and give your understanding of the causes which led to this strike.—A. Well, I do not think that the strike was confined to one cause. I think

there are a great many causes that led up to this strike. I think these strikes are brought about by the general dissatisfaction of the great mass of the people with the accumulation of immense fortunes and the concentration of wealth in the hands of a few until at last the working classes have become very restless as to their condition.

Q. By the working class whom do you mean?—A. I mean the farmer and the workman.

Q. What extent of country does your observation cover?—A. It covers a good deal of the State of Texas.

Q. You speak as far as your knowledge goes in reference to the State of Texas?—A. Yes, sir.

Q. And not to reach beyond?—A. Yes, sir; throughout the government.

Q. Upon what does this dissatisfied feeling arise?—A. Well, as I stated before, it is the tendency to accumulate the wealth of the country in a few hands, and in corporations which the masses believe have plundered them by the laws of transportation and the wages of the workmen. The wage-worker is dissatisfied and the farmer is dissatisfied on the ground that the corporation sets the price of transportation on the products of his labor, and believes that he ought to have the same right to say what he should have by his work and for his service rendered to the corporations.

Q. You do not mean to imply by that that the laborer is compelled to work except at a price that he agrees upon himself, do you?—A. Well, he is forced to agree upon a price that does not satisfy him.

Q. How is he forced?—A. By the condition of our laws, that he is forced to work to live.

Q. Under your proposition do you separate those who work with their hands from those who do mental labor?—A. No, sir; I see no reason why they should be excluded.

Q. Do you include merchants as workmen?—A. No, sir, a merchant is not included as a workman. He is known in this country, in our society in Texas, as a speculator.

Q. And where do you locate the lawyer?—A. We do not locate him at all.

Q. He is an outsider, is he?—A. We consider that in the present condition of society a lawyer is what we term a necessary evil.

Q. Then you do not exclude him altogether?—A. We do not exclude him altogether.

Q. But you consider him a necessary evil?—A. Under our present conditions, yes, sir.

Q. Now when you say "present condition" what other condition do you refer to?—A. I think this, that a great deal of the crime that is in society is brought about by a system of class legislation in this country tending to make the rich richer and the poor poorer.

Q. You are a man who has read a deal of history, I suppose?—A. Yes, sir.

Q. Can you point out any period in the world's history when the difference between the rich and poor did not exist?—A. There have been better times in the history of the world.

Q. Do you remember, in the case of the ancient Jews, about as far back as any history goes, that one was understood to own flocks and herds and that the poor Jews were his servants?—A. I understood it was a system of slavery, but not according to the law of justice.

Q. From that time to this have not these inequalities substantially existed as they did then?—A. Almost in all time since the incipency of man.

Q. Then life has changed, but human nature is the same?—A. There is a change in mankind by a greater extension of the education of the masses.

Q. How much by change of human nature?—A. Not by a change of human nature.

Q. Is it your opinion that the education of the masses will enable them all to earn, accumulate, and save alike?—A. I do not think that will probably be the effect completely.

Q. Do you not think that from the different dispositions of men some cannot save at all while others again accumulate as though from instinct?—A. While I believe that, I at the same time believe that the masses of mankind ought to have a better opportunity to accumulate.

Q. Do you not find that there are a great many who do not seem to accumulate and that they would much rather spend than accumulate money?—A. Yes, sir; I have seen that.

Q. Do you not find a great class of men that seek to live in ease and pleasure, and on the other side a class that will work hard to accumulate?—A. I do. But while that is a fact, I think it is rather in isolated cases and it would not apply to the masses.

Q. Do you not find that there are immense differences in the capacity of men both to accumulate and to keep?—A. I know there are those differences.

Q. Do you not find that very many of those who become rich seem to become so by accident?—A. But those are like the poor privates in society, they are isolated people.

Q. How are you going to adjust this wrongbeing of human society that you consider exists?—A. I am not going to adjust it all myself, but I can give you my idea of how it should be done. I do not consider that there can be any settlement of a permanent character in the country except by a system of legislation. I believe that the railroads will have to be controlled and owned by the Government and directly run by the Government to bring about a permanent settlement between the men who own the roads and the men who are employed on the roads.

Q. Do you not know that similar disturbances exist between corporations and other employers and their employes the world over?—A. Yes, sir; I do. There is another idea that comes in there. We have a country that needs more money to do business. We have too little currency for the industries of the country.

Q. Do you mean that there is not enough in the aggregate or that some have got too much?—A. I do not believe there is enough in the aggregate. I give that as my opinion.

Q. Have you read the theories of Proudhon?—A. I have read the theories of a great many.

Q. Do you accept his idea that "property is robbery"?—A. No, sir.

Q. And that where one man has got more than another it is his duty to divide?—A. Understand I do not accept that idea.

Q. Or had you the French idea, or the leaders of that class of thought?—A. No, sir; I am not a communist.

Q. Not even a German communist?—A. No, sir; I am not a communist.

Q. Do you believe in the English idea of labor reform—of co-operation both in the production and the distribution, and in the furnishing of supplies?—A. I believe that co-operation is the only method by which mankind can be delivered from monopoly.

Q. Can you have co-operation unless men are willing to earn alike?—A. No, sir; but then a man's success should be based on his ability to produce and not on his ability to get less by his labor.

Q. Do you belong to any labor organization?—A. I belong to the Knights of Labor and the Grange, or Farmers' Alliance.

Q. Do either of these societies require that an equal payment shall be made to each member where fully employed?—A. No, sir. They only require that there shall be equal pay for equal work.

Q. How can that be adjusted?—A. By paying every man at the same price under the same conditions for the same work.

Q. You were here during this strike, were you not?—A. I was here after the strike began. I was here during a part of it.

Q. You saw a considerable part of it?—A. Well, yes.

Q. You saw that engines were killed?—A. I have seen engines that I suppose were killed.

Q. Is there any surplus of labor in this part of the country?—A. Well, sir, there seems to be some.

Q. Then when a strike occurs ordinarily other men can be found?—A. Well, to some extent. I am not sure that it could be done entirely.

Q. Would a walk-out of the ordinary employes of a railroad stop the handling of freight and the movement of trains without force to prevent other men from working, or actual force upon the property?—A. Well, I will state right here. I do not know of any force being used to prevent the men from working.

Q. Well, will a walk-out, without stopping the men going in to take their places or the use of force in stopping the running of trains, be effective?—A. Well, generally a strike or walk-out, as you term it, it would of course stop the transportation of the country for a time until they could get labor to start it up again.

Q. That could be done almost immediately?—A. I hear that it could be done immediately.

Q. Do you believe that strikers after walking out, or when walking out, are justified in taking possession of the company's property and preventing it doing its business?—A. I will state that I am opposed to strikes on general principles, and, that from a legal standpoint they have not.

Q. From a moral standpoint?—A. I do not think they have.

Q. What are the objects of the Knights of Labor? Speak only in such terms as you are at liberty to make public.—A. I understand that the primary object of the order is to be the education of the masses.

Q. What next? It is not an educational concern purely?—A. Then supposing when the masses are sufficiently educated, such legislation would be brought about as would prevent strikes.

Q. I think I have heard something like this. That one of its objects was to elevate mankind in general?—A. That is an object, too.

Q. Do you know what a "scab" is?—A. Yes, sir. I know what a "scab" is.

Q. Where does the elevation come in as to the "scab"?—A. I do not think the "scab" comes under the rule. I think it would be impossible to apply the rules to him.

Q. He is a human being, I suppose, is he not?—A. Yes, sir. They say he has a human form.

Q. And he may have a wife and children that may need food and to be provided for, just as much as any others?—A. Yes, sir.

Q. Is there anything to hinder his being a good citizen and obeying the laws of the country?—A. He may be a good citizen. It is possible.

Q. And would you say that he is not entitled to protection?—A. No, sir; I do not.

Q. Do you say your claim to elevate the human race does not include the class from whom the human being called the "scab" comes?—A. You mean the Knights of Labor exclude him?

Q. Then your system of philosophy and humanity excludes from this elevation of men the individual called a "scab" and his family?—A. Well, I think that the proposition of elevation would include him.

Q. It is your proposition to do good to all mankind and elevate humanity, including the "scab" and his family, and such people?—A. Well, yes, sir, of course.

Q. Then your scheme broke down at that point exactly?—A. Well, of course the men who go on a strike, when a man takes his place he becomes an object of ridicule for the time. We all understand that.

Q. I take it that the Knights of Labor are only developing in one direction of your philosophy. They do not cover all your philosophy for benefiting the world at large?—A. I believe that the organization does as far as the principles are included try to elevate the human race.

Q. Have you not heard the evidence here as to running this train off the track at Alvarado, and crippling the engineer and fireman?—A. I have heard it.

Q. Do you believe any such action results in the elevation of mankind?—A. The Knights of Labor do not indorse any such doctrines as that, I can tell you.

Q. What would your treatment of men like Vanderbilt and Jay Gould and that class of men be?—A. As individuals, I have nothing against them.

Q. But you have a scheme of philosophy that covers the whole world?—A. I would have a system of graduated income tax, and I believe that some such measure as this would prevent the great accumulation of fortunes or make them pay a large amount of revenue to the Government.

Q. You would not join in the cry to kill them, and kill the engineer and firemen mentioned, and injure persons?—A. I consider a strike as a crime, sir.

Q. Now tell me how the farmers of this vicinity were affected by the strike?—A. I do not know that the farmers have been affected very much, and they did not seem to be interested. They generally sympathize with the strikers.

Q. Were the crops mainly in before the strike began?—A. No, sir; not in this part of the State.

Q. Were they not troubled in getting seed and their implements, and things of that kind?—A. I do not know that I can find a single instance of that kind. I have not heard of a single instance.

Q. And you do not know of any instance where they were prevented from shipping their property away?—A. No, sir.

Q. Do you say that you are opposed to all strikes?—A. My remark was that I was opposed to strikes on general principles. I may say that I believe strikes, as far as the ultimate cause is concerned, are failures. The strike of 1885 here was really necessary, but strikes, so far as the permanent benefit to the workingman goes, are not a benefit to him.

Q. Who has been benefited, if any one, by this strike?—A. I do not know of any benefit that has resulted from it.

Q. You know that the tradesmen and dealers and merchants and the railroads have been largely injured by this strike?—A. Yes, sir; they have been injured to some extent; I am satisfied of that.

Q. Do you know that the fund out of which the wages of the men are paid is made up largely of the freight-money paid for the carrying of freights?—A. Yes, sir; I am satisfied of that fact.

Q. Now, will you tell me what right a party of men employed by a railroad and paid out of this wage-fund contributed by the freighters have to strike and throw the business of all these people into confusion without any notice and without consultation?—A. I think it ought to be a matter of last resort.

Q. Ought not there to be notice to all parties interested before a strike should be inaugurated?—A. I am sure that would be better.

Q. Now, what are your ideas about arbitration?—A. Well, sir, to leave the corporations in the present condition I believe it would end in a failure.

Q. You think that, as a theory in adjusting the differences between employers and employes, they would be unable to arbitrate?—A. They can arbitrate, but to keep the contracts would be the trouble.

Q. Is there any other method of conciliation that would be effective?—A. Not under the existing institutions of the country; I believe not, sir.

Q. Now you have a general belief that all these things are out of joint?—A. I may say so, to a great extent.

Q. And that they might be a great deal better if properly managed?—A. It is impossible under the present system of the country.

Q. You told me you were a Knight of Labor.—A. Yes, sir.

Q. What position do you occupy in the order?—A. I am master workman of district 78, in the State of Texas.

Q. Who was your predecessor?—A. Mr. Martin J. Hayes.

Q. (By Mr. OUTHWAITE.) I wish to ask you, Mr. Farmer, whether in your opinion the terms of the Hayes agreement are definite and distinct enough for there to be no possible difference between the employers and the employes as to its meaning; in other words, as that agreement so clear and distinct that there should be no trouble in construing it?—A. Now, I do not know about that; I do not know that I have examined that agreement.

Q. Is it not possible that there is room for the two opposing constructions, which seem to have been given out?—A. You mean the Hayes agreement in 1885?

Mr. OUTHWAITE. Yes.

The WITNESS. Oh, yes. I have no idea but both of those parties understood that very well.

Q. Do you think they both understood it in the same way at the outset?—A. I do not suppose there was much disagreement, from the fact that nothing grew out of it. Nothing grew out of it, as far as my understanding of the two parties goes with respect to that agreement.

Q. Is it your view, then, that there has been a willful violation of it upon one side or the other?—A. Really what I know of it is what I have learned, some of it here to-day and previous, that part of that agreement was never fulfilled on the Gould Southwest system. I have heard that charge made time and again. Whether it is positively true or not I have no knowledge personally. I heard men swear it; that is all I know.

Q. Did you not yourself examine the contract for the purpose of determining whether it was susceptible of the one construction or the other?—A. No, sir.

Q. (By Mr. BUCHANAN.) Where is your farm?—A. It is in Van Zandt County.

Q. How many acres are there in it?—A. About thirty acres in cultivation.

Q. Do you employ any help upon it?—A. I have one man employed for wages and there is another man on the farm.

Q. How is the other employed?—A. I have the balance rented.

Q. What wages do you pay that man whom you have employed?—A. Fifteen dollars a month and his board.

Q. How many hours does he work?—A. It is hard to tell that. Sometimes twelve, sometimes eight, and sometimes less.

Q. What will it average through the summer time?—A. Well, I suppose it will not average over ten hours.

Q. In point of fact do not farmers in Texas work more than an average of fourteen hours in the working season during the summer?—A. Well, it would be hard to say.

Q. Do not many of them work fifteen and sixteen hours?—A. Yes, sir; I have worked fifteen hours many a day.

Q. You favor co-operation?—A. Yes, sir.

Q. Do you practice co-operation with the man you employ?—A. In what respect?

Q. Do you give him a share of the profits of the farm?—A. When I pay him \$15 per month he gets the bigger part.

Q. Then you think \$15 is quite a large share of the profits?—A. In good wages it is.

Q. Had it occurred to you that the same might possibly be the case with other employers?—A. Well, yes; I think so, sir.

Q. Might it sometimes be the case that laborers will receive compensation that would really be larger than if they received an interest or share in the profits?—A. That is possible, sir.

Q. In asking these questions and a few I desire to ask following I do so with a desire to elicit all the facts and information I can get. Will you indicate to this committee any legislation of a Federal character which you think would tend to alleviate the distress in the country and to restore good feeling between employers and employes?—A. Yes, sir; I think I may name some that I think would effect that end. I think that the national banks of the country ought to be abolished.

Q. Anything else?—A. Then I think that the Government ought to issue currency without the intervention of banks.

Q. Anything else?—A. And that the Government should control the public highways of the country.

Q. Do you mean the railways?—A. I mean the railways and the telegraph and telephone. And I believe that there should be a law so arranged as to prevent the accumulation of such large fortunes in a few hands.

Q. How would you regulate that?—A. By a graduated income tax, if a law of that character could be framed.

Q. Would the tax not be paid and the fortune be accumulated less the amount of tax paid?—A. Then I would have a direct tax upon property; what is known as an *ad valorem* tax.

Q. Do you not know that such tax exists in a large number of the States in the Union to-day?—A. Yes, sir.

Q. Do you not know that a graduated income tax exists in England?—A. I do not.

Q. That all property is taxed according to its value?—A. No, sir; I have not read of such a law.

Q. And that the same result is reached here where there has been no graduated income tax?—A. Not that I know of; but I think that the views I advocate would bring satisfaction to the people. I think that there should be a great deal more money issued and prevent interest having to be paid on so much.

Q. Would you prohibit interest upon money?—A. I think a law to that effect would be unnecessary if we were supplied with money enough to do the business that the country needs.

Q. However, you would by law prohibit the charge of interest on money?—A. I do not think there is any necessity for paying interest.

Q. You say that in your judgment the Government should own the railroads?—A. Yes, sir.

Q. What reason applies to the Government operating railroads that does not apply also in the case of a large corporation connected with the raising of coal, and the manufacturing of iron or the manufacturing of agricultural implements or anything else?—A. When you come to that question of the coal products of the country it is one of the greatest monopolies in the country.

Q. You saw what the strikers did at the McCormick works in Chicago?—A. Yes, sir.

Q. Would you have the Government own those works and run them?—A. That is a question I have never thought positively about.

Q. You would put the coal mines under the control of the Government?—A. Yes, sir. I would put all these mines under the control of the Government.

Q. And then you would extend the operations of the Government over all large branches of production?—A. I think that is the only thing that will bring perfect satisfaction.

Q. And then every one connected with the transaction of this business will be a Government official?—A. Yes, sir.

Q. And put them under the General Government and the supervision of Government officials?—A. Yes, sir.

Q. Would you have that ownership State or national?—A. Well, on account of the interstate commerce, it seems that the national ownership would be the proper ownership.

Q. Would you have that ownership State or national?—A. In the railways I would make it national. As to the coal companies, that could be controlled by the State.

Q. Would you have farms operated under the Government?—A. No, sir.

Q. Why not?—A. Because the property is in an individual and questions of speculation do not enter into that, and on the ground that it is not practicable.

Q. Do you not know that in the far Northwest there are large tracts of land on which wheat is raised by the aggregation of capital?—A. Yes, sir; I read it in the papers.

Q. Why on the same principle might not they be included in that Government ownership and control?—A. They might be broken up.

Q. Can they be broken up except by purchase by the Government or being taken physically by the Government? Would you recommend either?—A. I do not know whether I can answer that question satisfactorily.

Q. I will now call your attention to a feature that this investigation shows, to wit: a great destruction of property in the way of killing engines, ditching freight trains, and the serious injury of employes of the road, as in the case of the train from Alvarado, the deprivation of others of employment, of interference by the use of threats, &c. I understand from your testimony heretofore given that no such acts of violence meet your approval?—A. No, sir.

Q. The principles of the order do not lead to such acts, but on the contrary inculcate directly the reverse?—A. That is my understanding.

By Mr. OUTHWAITE. What is your theory and suggestions as to the manner in which the government should obtain possession of the railroads?—A. Well, it may be done by purchase.

Q. Suppose the owners refuse to sell. You would recognize the right of a man to own his property?—A. I would suppose that Government would take them under the laws of eminent domain.

Q. Please state what legal right they would have to take the road?—A. The right that lies in the institution of the Government—the best interests of the people.

Q. That does not give me any information as to whether they would agree to your suggestion, and take possession of them without compensation?—A. Oh, I think not, sir. I think that where there has been an actual investment in a road the company ought to be paid for the actual money expended.

Q. Who would determine the amount of the value?—A. A commission might be appointed and testimony collected as to the real investments in the road.

Q. Have you considered in this connection the fearful danger there would be to the liberties of the people by increasing the office-holding class so immensely as it would be increased by making all employes on railroads directly officers of the United States?—A. I have thought of that.

Q. Do you consider that there would be great danger in such a scheme?—A. Well, it would be owing to the form of the laws of the country. If the law was so arranged that there should be something like what we call "civil service" on the roads, and no man's politics be questioned by the Government, I do not see how it would have an injurious effect.

By Mr. BUCHANAN. Your theory is that the Government should acquire, either by purchase or by condemnation under the right of eminent domain, possession of all the railroads in the country?—A. Yes, sir.

Q. By whom would the purchase-money of this right be paid—by the people of the country?—A. By the Government—by the people.

Q. The Government is simply the incarnation and the concentration of the power of the people of the country?—A. Yes, sir.

Q. And then your desire is that the farmers of the country should be taxed to buy the railroads?—A. Taxed to buy them?

Q. They cannot be purchased without compensation. How would the means be provided?—A. It might be by taxation, of course.

Q. And that taxation would fall upon every one of the producing class, would it not?—A. Yes, sir.

Q. And how would you, in fact, pay the purchase-money—by the issue of bonds, or in what way?—A. I would enlarge the circulation to a very great extent.

Q. Would you advise the issue of bonds for the purchase of these roads?—A. Never.

Q. Would you advise the issue of greenbacks for the purchase of these roads?—A. To some extent.

Q. What would you do for the remainder of the purchase-money?—A. It might not be reasonable to take all these roads into the hands of the Government at once. It might take some time to do it.

Q. Under your theory how rapidly would you be able to do it?—A. Just as rapidly as there was ability in the Government to take charge of the roads. Bonds might be issued for them.

Q. Have you made any calculation of the amount that it would be necessary to raise for the purchase of the railroads? About how much would it be?—A. I do not know.

Q. Would it take more than the national debt was at the close of the war?—A. It would to purchase the railroads.

JOSEPH JAMISON sworn and examined.

By the CHAIRMAN:

Question. Do you live at Fort Worth?—Answer. Yes, sir.

Q. You were foreman of the freight-house of the Texas and Pacific Railroad. Are you in that position now?—A. No, sir.

Q. When did you leave it and under what circumstances?—A. On the 2d day of March I left it on account of the agreement of the company, made on March, 1885, being broken.

Q. What agreement was that?—A. That my wages should be restored to what they were prior to September, 1884.

Q. Were they restored?—A. No, sir.

Q. They never were?—A. No, sir.

Q. And you quitted on that account, did you?—A. Yes, sir.

Q. Was a telegram sent to reduce wages in Fort Worth in May, 1885?—A. I think there was. If I remember right there was one sent and it was contradicted the same day.

- Q. What were you paid prior to September, 1884?—A. Ninety dollars a month.
- Q. What were you paid after September, 1884?—A. Eighty-five dollars.
- Q. A reduction of \$5 per month?—A. Yes, sir.
- Q. Was there any reduction in the hours of labor?—A. No, sir.
- Q. Did you ever claim the extra \$5?—A. I have asked for it several times from our agent, J. J. Harris.
- Q. And did not receive it?—A. No, sir.
- Q. Are you a Knight of Labor?—A. Yes, sir.
- Q. Did you ever make complaint to the local executive board or committee of grievances?—A. The executive committee took an active part in trying to get them restored.
- Q. But you did not receive the old wages?—A. No, sir.
- Q. Did you not stop work in consequence of an order to quit, issued on the 1st of March by Martin Irons?—A. No, sir; I did not quit on the 1st of March.
- Q. Did you go out on the strike on an order issued by Martin Irons?—A. No, sir.
- Q. (By Mr. OUTHWAITE.) I would like to know why you did quit?—A. The strike was ordered, but I was not ordered out by Martin Irons.
- Q. That is not very clear to my mind.—A. I did not belong to Martin Irons's district.
- Q. Would you have gone out at that particular time if that order had not been issued?—A. No; not at that particular time.
- Q. (By the CHAIRMAN.) Did Mr. Harris, after the strike of 1885, get an extra \$15?—A. Yes. He said that will raise me \$15. The yard-master was there at the time, and he said how will you send in your pay-rolls; and he said, I will send in my rolls at the rate prior to September. The yard-masters got their wages back, and I did not get mine.
- Q. When were your wages cut down from \$90 to \$85; what date?—A. I do not remember the date.
- Q. Was it before September?—A. I do not remember exactly the date.
- Q. Was it before the agreement of March, 1885?—A. It was before the strike of March, 1885.
- Q. When were your wages reduced from \$90 to \$85?—A. Some time before September, is my recollection.
- Q. Then why is it that you say you went out on the 2d day of March because your wages were reduced below what you were receiving in September?—A. I say that our wages were to be restored to what they were prior to September, 1884.
- Q. Do you mean that by the agreement of March, 1885, your wages were to be restored to what they were before September, 1884?—A. Yes, sir; back to \$90.
- Q. Were they restored?—A. They never were restored.
- Q. Did Mr. Harris not try to get you to put on your pay-rolls a negro who worked at Mr. Harris's house?—A. He asked me several times, himself and his chief clerk.
- Q. A man who did not work for the company at all?—A. He would average two hours a day.
- Q. Did he work for the company?—A. He was paid by the company.
- Q. Were your wages cut down before September, 1884?—A. Yes; they cut us before September, 1884.
- Q. Why then did you strike? Did you not receive the wages you were receiving in September, 1884?—A. My wages were cut down twice. They were cut down from \$85 to \$80.
- Q. When was that?—A. I do not remember the date; and they were restored to \$85, if I recollect right.
- Q. Your wages were put to what they were in September, 1884, were they not?—A. No.
- Q. What did you receive before September, 1884?—A. I received \$90.
- Q. When were they cut down from \$90?—A. I do not remember the exact date.
- Q. What month?—A. I cannot say. I know I was receiving \$90 prior to September. I did not keep my own time.
- Q. (By Mr. PARKER.) Did you receive \$85 in September?—A. No; I received \$90 prior to September; I do not know how long.
- Q. Were you receiving \$85 in September, yes or no?—A. No, I believe.
- Q. Was it \$80?—A. It was \$85.
- Q. It was \$85 that you were receiving in September?—A. Yes.
- Q. After that you were cut down to \$80?—A. I was not cut down to \$80 after that. I will explain it, if you will give me a minute. My wages were \$90 prior to September, and then cut down to \$85.
- Q. (By the CHAIRMAN.) When?—A. Just after September. Then when the agreement was made after the strike came out on the road that all employes should be restored to their wages prior to September mine were never restored to what they were prior to September.

Q. (By Mr. PARKER.) Was not that agreement that you should be restored to your wages "in" September?—A. It reads "prior."

Mr. OUTHWAITE (reading from the Hayes agreement). The language of the agreement is this: "Whereas the undersigned, representing the two States above named respectively, anxious to restore harmonious relations between said company and its employes, and to restore to the public the unobstructed use of said line, recommend and request said company to restore to its striking employes in Missouri and Kansas the same wages paid them in September, 1884."

Q. (By Mr. PARKER.) Your grievance was based on your understanding that it was "prior," was it?—A. My grievance is that they did not restore it. They put the agent's time back.

Mr. OUTHWAITE. Here is a telegram on that subject. "What are you going to pay track-foremen on and after to-day?" This is September 3d. "Sixteenth of March," probably 1885, "All are restored to September pay." Not to pay "prior," but "all are restored to September pay." This is the telegram of Mr. Hoxie.

JAMES C. HOWELL sworn and examined.

By the CHAIRMAN:

Question. How long have you been a railroad man—Answer. About thirty years or a little over.

Q. What has been your occupation?—A. Foreman most of the time on the track; in the construction of new roads, and road-master part of the time.

Q. Road-master during the last six years?—A. Part of the time during the last six years.

Q. On the International and Great Northern and the Texas and Pacific?—A. Yes, sir.

Q. Have you been forced to trade with certain men as section foreman to keep your position?—A. Yes, sir. I have been forced to trade with certain storekeepers that were supplying the railroad men to occupy my position.

Q. Who forced you?—A. The railroad company.

Q. Through whom?—A. The officials, the road-master.

Q. What was his name?—A. Mr. Pat Rowan, who has been general agent for the road for several years.

Q. Is Mr. Pat Rowan on the International?—A. He is on the Texas and Pacific road at Marshall.

Q. Who else?—A. Well, it was the same thing on the west end of the road, let me say—

Q. Just confine yourself to the Texas and Pacific.—A. On the Texas and Pacific it was just Pat Rowan and Mr. Nelson West; but that has been several years ago.

Q. What road?—A. On the Texas and Pacific road.

Q. Any others?—A. Mr. Irvin on the Texas and Pacific road; Colonel Noble here was superintendent.

Q. Any other person?—A. Well, I forget the name of the road-master on another division where I was on where that was the case.

Q. In what way did they force you to trade with certain men?—A. It was a rule on the road that those men must be supplied by these houses that were furnishing goods. Martin Hennessy furnished goods for the International road.

Q. Do you mean to say that you were forced to buy your individual supplies from these stores?—A. I mean to say it in this way, that if I did not trade there for my supplies for the boarding-house—I boarded the men—I could not stay on the road. That was the way of it, and there are many men that I know of who have bought goods and paid their own money, and have been removed from a place because they would not buy their goods and pay that money to these stores. I will state two instances where two men who worked for me on the International road were discharged because they would not trade with Mr. Hennessy and Mr. Cronin.

Q. (By Mr. OUTHWAITE.) How long ago has that been?—A. I left there last March. It was some time previous to last March.

Q. (By the CHAIRMAN.) How long previous?—A. It was a short time before that. Mr. Copeland, on the section, and Mr. Bob Reynolds bought their goods at Palestine, and they had been getting their goods at Taylor. Mr. Hennessy came down to see them, and he said that my men should buy from him, and he would pay me 25 per cent. a month on my grocery bill if I would have my men buy their goods from him.

Q. Who is Hennessy?—A. He is a merchant at Palestine that supplies the road.

Q. Was he an officer of the road?—A. No, sir. He was the only man who could ship goods over the road to the section.

Q. How was that?—A. Mr. Herrin is present; he can tell you.

Q. (By Mr. OUTHWAITE.) Did you ever see any rules in writing to that effect?—A. Yes, sir, I have seen them in printed forms, but I do not know that they were in writ-

ing. I will take it back that they should not buy their goods only from Hennessy. It was that the goods could only be shipped to the section houses by Hennessy.

Q. Who issued this instruction?—A. It came from the road-master.

Q. Who was the road-master?—A. R. P. Scott.

Q. Did the road-master compel you to do that?—A. No, sir; he asked me to do it.

Q. What was their object in that?—A. I will tell you. It was a money-making scheme of the officers of the road, in my opinion; and that is one of the causes of the great dissatisfaction among the railroad men of this country that have been heard this year. I have been an honest man, and you cannot find a black spot on my character.

Q. Then you refused the 25 per cent?—A. I did so, as certain as I am sitting in this chair. You will find right down at Marshall the same thing. It was carried on there very freely.

Q. (By the CHAIRMAN.) Do you mean to convey this idea that this road-master personally got a commission from the merchants for the purpose of influencing your trade?—A. That has been the general rule for five years.

Q. (By Mr. OUTHWAITE.) Who do you know was driven off the road?—A. Mr. Reynolds on my division Mr. Cronin discharged; I would not do it, and I said I would not discharge him. He also told me about this man Copeland, and I told him I would not discharge him, and he sent a man out there and made me.

Q. (By the CHAIRMAN.) Did you make any complaint to anybody about this, or did you submit to it?—A. I submitted.

Q. (By Mr. PARKER.) Was Reynolds removed for not buying his goods from Hennessy?—A. Yes; that was it. When I put a man in his place I told him I was not discharging him. I told him he was a good man and I was not discharging him; that a man had been sent out and I had to put him on. Mr. Reynolds came to me and I told him I could not help it, and I did not stay there a very long time afterwards.

Q. (By the CHAIRMAN.) Were you working on the day the strike occurred?—A. I went on the strike and quit the section.

Q. Did you say that Hennessy has a corporation store?—A. That has been written on it. It was some marks that I saw on the goods from there.

Q. Was this scheme of these men for their own personal benefit, without knowledge of the superior officers of the company?—A. Now, I cannot say whether it was or not. It was done; I know that.

Q. Do you mean by the company's store that the company owned it or had an interest in it?—A. It was simply this, that the company would not have men on the road that would not befriend it.

Q. Have men been taxed to keep up the hospital and been discharged when they needed the hospital treatment?—A. I saw one from the International road that sat here yesterday evening refused; and I know of several cases, but I cannot recall the names of the parties, that have been connected with the road here in time past at different places, and I know of several men discharged for asking to have hospital service—some men that worked under me that did not get their service in time and left.

Q. How many instances of that kind do you know of?—A. I cannot remember, but several of them during the time I have been with the company.

Q. Were your wages reduced prior to the contract of 1885? What were you receiving in September, 1884?—A. I was getting \$55 a month.

Q. When were your wages reduced?—A. I was reduced when I went to work on the Texas and Pacific road in April, 1885.

Q. Did you demand restoration of your September wages?—A. I did, sir. I told that to the Knights of Labor.

Q. Did you get any notice of any reduction?—A. Yes, sir; I got notice.

Q. How much notice?—A. I was notified that my wages would be \$50 a month.

Q. What notice did you get of the contemplated reduction? How many days' notice?—A. I got notice from the road-master as he passed over the road that my wages would be \$50—foreman's wages.

Q. How much notice did you get of your reduction; how many days' notice did you get before your wages were reduced?—A. Well, I will explain to you so that I can be plain. He says "foreman's wages" (sealed up in a little note in an envelope and dropped to me on the section)—"foreman's will be from this date [I do not recollect the date] \$50."

Q. How many days' notice did you get of the reduction?—A. I do not understand it.

Q. How many days' notice did you get before they reduced your wages?—A. Well, sir, I believe it was probably a week. It was just before the close of the month, and the month closed on the 27th. Oh, I understand you now; excuse me, it was ten days.

Q. Did you not make it part of the agreement in the employment of men under you as foreman on the Texas and Pacific that they should board with you?—A. Yes, sir.

Q. Why?—A. Because if we went out from town I did not want my men to be scat-

tered, and it was done so that I could have them together to repair the track where the rains came and washed out.

Q. Did you not leave the road and go to work on another before the rate of wages were diminished?—A. Yes, sir; I did.

Q. How long had you been on the Texas and Pacific when the wages were reduced?—A. Two or three weeks; a couple of weeks probably before I got notice of it.

Q. Were you notified at the beginning of the next month that your wages would be reduced?—A. At the beginning of the month after I first went there.

Q. Do you keep the St. George Hotel in town?—A. Yes, sir.

Q. Did you keep it while running a section?—A. Down here? Yes, sir.

Q. Did you not make a certificate for a section man to go to the hospital who was not on the road at all?—A. I never did.

Q. Did you not send for the hospital wagon?—A. I sent for the hospital wagon for Mr. Jackson, a fireman that was boarding with me. I never saw any of my certificates, as you call them, go to any hospital save for railroad men and firemen.

Q. Were you discharged at Trope without cause?—A. I think I was, sir.

Q. What cause was alleged?—A. Because I was favorable towards the strikers. I hoped to see them get their wages adjusted, and what was right and proper.

Q. Were you discharged at Fort Worth without cause?—A. I do not think I was discharged at Fort Worth, as my time did not go into the time-office. I just quit when the strike came up. I did my duty while I was there.

Q. (By Mr. BUCHANAN.) I understand you to say that you made it a condition in the employment of section men that they should board with you. Am I correct?—A. Yes, sir; that they should only be at one place on a section.

Q. How many boarding-houses did you keep while in the employ of the company?—A. I was moved about considerably, but only kept one at one time.

Q. And when you required these section men to board with you as a condition of employment what rate did you charge?—A. Half a dollar a day while they were there; when not there I did not charge them anything. They went away on the Saturday night.

BENJAMIN B. HARRAPP sworn and examined.

By the CHAIRMAN:

Question. Please state where you live and are employed?—Answer. At Gouldsboro. The men employed directly under me on the 5th of March struck. The whistle was blown by some one in the shop, and soon all the men began washing; and I asked what the trouble was. At 2 o'clock in the afternoon, after dinner, they came around again, saying they had no grievance, that the strike was caused by a man at Marshall being discharged, by the name of Hall. I then questioned the committee awhile, and asked them if they had any personal grievances, and they said they had not, which they expressed in writing to me.

Q. What position did you hold?—A. I am master mechanic. On the 15th we attempted to run a freight train, and while the engine was standing on the side-track some one disabled it. On the following morning an engine started from the roundhouse, and some one attempted to disable that one early in the morning.

Q. Did you resume the movement of trains?—A. Yes, sir; on Wednesday morning we ran a train out under the protection of the marshal and his deputies.

Q. The city marshal?—A. The United States marshal.

Q. Had you any trouble after that?—A. A train was stopped by a number of men and backed into the station again, and after some little trouble it was allowed to proceed. The committee then waited on Governor Sheldon, who told them they could make a memorial and go before the court, and one of the committeemen asked Governor Sheldon to instruct me not to employ new men. He instructed me to employ men, which I did. One of the men afterwards told me he had been threatened by some of the old employes who had worked in the shop. I hired quite a number of men; but I could not keep them until there was a detachment of deputy marshals sent there to protect the property and the men while at work.

Q. Was this part of the general strike?—A. Yes, sir.

Q. You are filling what position?—A. The position of master mechanic of the New Orleans division of the Texas and Pacific.

JOHN TAGGART sworn and examined.

By the CHAIRMAN:

Question. Were you a hotel keeper on the Texas and Pacific railroad before the strike broke out?—Answer. No, sir; I was not.

Q. What were you?—A. I was a private citizen here when the strike broke out.

Q. Did you keep a hotel?—A. I kept a boarding-house after the strike.

Q. Did you keep any boarders who were called "scabs?"—A. Yes, sir; I did.

Q. Was anything done to make them leave, or to prevent you keeping them?—A. They tried to make them leave. A committee waited on me first as Knights of Labor, and told me they were sent there by the Knights of Labor to request me not to keep these men that went to work after the strike.

Q. How do you know these men were Knights of Labor?—A. I do not know, only that they said they were Knights of Labor.

Q. What were their names?—A. One of their names I do not know at all. One was Charles Diner; the other I do not remember his name; but I know the old gentleman, who lives in town. They said they were sent there by the Knights of Labor.

Q. Did you agree to turn them off?—A. No, sir; I did not.

Q. Was anything else done?—A. Afterwards they came to me again and requested me to quit boarding them, and I told them that it was a meat and bread case with me; that I was not in the strike, and I had made arrangements with the officials of the road to board these men, and that I was doing, and was going to continue to do it. That was at the first time I saw him, and I told him I would see him next day. One of the committee was my own son.

Q. What more occurred?—A. I got notice next day to leave the house.

Q. Did you leave?—A. I asked the owner the question why he gave me notice, and he said it was for keeping these "scabs." I did not leave. I have always paid him the rent.

Q. Did anything further happen?—A. They first went and boycotted the butcher where I was buying meat, and he refused to sell me, and I sent from one to another and did not get meat. I went to the butcher again and he refused to let me have any, and he said they had come and waited on him and told him that if he let me have any more meat to feed the "scabs" on they would not trade with him. I went then to another butcher and made arrangements and bought some meat; but that butcher quit also. I then went to my son-in-law, a butcher, and told him the circumstances, and he told me he would let me have the meat. He commenced selling to me, and he did so for three or four days. The Knights of Labor kept sending up to him, and one supper-time no meat came. Next day he came down and told me they had waited upon him and tried to get him to sell me no meat. I then went to Mr. Anderson, and he told me that if I did not succeed in getting meat he would send to Dallas for it. I went to another party to buy the meat of, and he said he would let me have it, and sent it to me. I went there and got the meat and sent there and got it until there was a meeting of the citizens held denouncing this boycotting. Then we had a man hired to haul water, and kept him paid up regularly, and we were in advance then to him. One day while I was not at the house he notified my daughter that he could not bring us any more water, and called her out. He returned to her the checks that he had bought and paid for, but she would not receive either the checks or the money that he offered to her, but told him that we wanted the water. He said that the Knights of Labor had waited on him and told him if he hauled us water they would buy no water from him, and would not allow him to have water. We went to hauling water in barrels ourselves then, and we got water a few times at the Richardson well. On one day we hauled the water home just about dark, and used the third barrel. It took a great deal of water to wash. We left it on the top of the wagon and took a plank and covered the barrel. We left it there all night. Next morning my daughter and granddaughter found that there had been something put in the water. Just before breakfast my granddaughter wanted a drink, and as soon as she tasted it she detected something in it. My daughter also drank some of it and they both turned deathly sick. I was then told about it. I took out some of it and smelled and tasted it. It was the worst taste that I ever experienced, and made me feel worse. I showed it to all the boys, and we went and got water from another place and had to commence breakfast again. This was before daylight. Several notices were tacked up on the fences at night stating that this house was boarding "scabs," and that the "scabs" would have to leave in a day or two. I took them down, and would not let them stay there.

Q. (By Mr. BUCHANAN) Was that water ever analyzed?—A. I brought it up here to have it analyzed and left it up here. The party told me he could not exactly analyze it, but he put it to a full test. Mr. Anderson told me to let it alone and he would see to having it analyzed.

The committee then took a recess till 8 o'clock, at which hour they resumed taking testimony.

GEORGE T. WILKINSON sworn and examined.

By Mr. BUCHANAN:

Question. Do you live here at Fort Worth?—Answer. Yes, sir.

Q. Have you been recently in the employ of the railroad company?—A. I have been working for the company.

- Q. For which road?—A. The Texas and Pacific.
 Q. Did you work at the roundhouse?—A. Yes, sir.
 Q. Did you go out on the strike?—A. No, sir.
 Q. Did you remain in their employ?—A. No, sir; I was not in the employ of the company at the strike at all.
 Q. You had left the employ of the company before the strike?—A. Yes, sir.
 Q. Were your wages reduced last summer?—A. Yes, sir; from \$1.26½ to \$1.15.
 Q. What time in the summer did that occur?—A. It was along in September that I first got reduced.
 Q. Last September?—A. Last September.
 Q. How long had you been working for the company at \$1.26?—A. I went to work at the roundhouse on the 6th of April, 1885.
 Q. Were your wages ever restored?—A. No, sir; they never were.
 Q. Did you ever present that grievance to the Knights of Labor?—A. I did, sir.
 Q. Do you know what they did with it?—A. No, I cannot tell. I do not know what became of it.
 Q. Did you quit the company on account of this reduction?—A. I did.
 Q. Did you get notice?—A. The only way I got notice of it was when the pay-car came I was given only \$35.65.
 Q. Then they paid you at the rate for the month you would work without reduction?—A. Yes, sir; and also the months of September and October.
 Q. I will ask you whether you know anything about a black-list?—A. Well, sir, I never have been blacklisted in my life.
 Q. Do you know anything of a black-list that the company kept?—A. No, sir. I know of men being discharged and not being able to get their job, and they could not get it on the Missouri Pacific or on the Texas and Pacific.
 Q. Is there a general impression among the men that certain men are blacklisted by the company?—A. Yes, sir. I asked one of our men, and he said he had it in his grievance, but that he was disgusted with it and was not disposed to have anything more to do with it.

FRED. ROBERTS sworn and examined.

By Mr. PARKER:

- Question. Were you employed during the month of March last in the yard of the Texas and Pacific road here?—Answer. Yes, sir; from the 19th of March.
 Q. What occurred then?—A. Well, there were a great many slurs thrown at me from the time I had been there to the time I had been hit by a man named Gordon, and a great many rocks were thrown when I went over to the Missouri Pacific.
 Q. Were the yards used jointly by both roads?—A. Yes, sir.
 Q. Who was this who hit you?—A. A fellow by the name of Gordon.
 Q. Was he a striker?—A. I cannot say. He had been in the employ of the company, and had been discharged about a week before the strike.
 Q. Was he acting with those who struck?—A. He was associating with them, and seemed to sympathize with them.
 Q. Do you know who those rocks were thrown by?—A. I could not say who the particular parties were; they were behind some of the cars.
 Q. When were you first employed by the company?—A. On the 19th of March.
 Q. After the strike began?—A. Yes, sir.
 Q. What did they call you?—A. The same as they called the rest of them, a "scab."
 Q. What time of day was it that you were hit?—A. About 9 o'clock at night.
 Q. How much of a blow was it?—A. It did not knock me down, but turned me about half way round. The place healed in about two weeks.
 Q. What action, if any, was taken by the authorities?—A. After it struck me I went to Mr. Tom Gerren, United States marshal. There were two other parties with me who saw Gordon strike me, one of them a fellow by the name of Hall. Hall was the first one to come, and he put his lamp in Gordon's face. Then they ran off. When Gerren arrested Gordon he told Gerren he had not been near the depot; that he had not been in that part of the town; but just before we got to the depot he said that he had no business to hit me.
 Q. Did you hear this talk?—A. I heard that myself, sir.
 Q. What was done by the authorities towards punishing him, if anything?—A. I believe he got three months in jail over at Dallas.
 Q. Were you at his trial?—A. I was.
 Q. (By Mr. BUCHANAN.) Where does this Gordon belong?—A. I cannot say; I never saw him before that night.
 Q. Does he live at Fort Worth?—A. I do not know.
 Q. How long have you lived in Fort Worth?—A. I have been here since last December.

JOHN B. EBERHARDT sworn and examined.

By Mr. BUCHANAN:

Question. Do you know anything about men's wages being reduced on the Texas and Pacific?—Answer. I was not here right at that time, but I have worked on the Gould southwest system for some time, on what is called the Morgan side. They were reduced there.

Q. When?—A. About February, two years ago.

Q. Reduced from what to what?—A. From \$1.50 to \$1.15.

Q. When did you leave the employ of that road?—A. I left there in May.

Q. Of what year?—A. This May two years ago.

Q. What have you been working at since you left the railroad company?—A. I have worked on other different railroads.

Q. Have you worked on this system at all since May, 1884?—A. I did, about three weeks, on what is called the Walnut Ridge Railroad.

Q. Is that part of the Gould system of line?—A. Yes, sir. They found I had been discharged there, and I was discharged as soon as they recognized me.

Q. Were you discharged in May, 1884?—A. I was laid off for a time; I complained about it and they discharged me.

Q. When was it that you were at work on the Walnut Ridge Railroad?—A. Along in August in the same year.

Q. Have you not worked for any railroad since August, 1884?—A. I went to work at the stock-yard this last October.

Q. What road is it operated by?—A. By the Texas and Pacific, I believe.

Q. What wages did you receive there?—A. One dollar and twenty-five cents a day.

Q. Do you know of any men being discharged on any of these roads who have not received the wages due when discharged?—A. Yes, sir; myself for one.

Q. How much is due you?—A. Four days on the Morgan road, and then two and a half on the Walnut Ridge; and two and a half days in the stock-yards.

Q. Why were those days not paid for?—A. I cannot give any account of it myself. I was there one time when the pay-car came, and they told me they had a record for it on the Morgan side of the road, and I did not want to wait for it. They said I could not get it until the 15th.

Q. Do you mean to say that you could have got it by waiting until the 15th?—A. Probably I might.

Q. Then you left without collecting the balance due you; was that it?—A. Yes; I have made application for it.

Q. Do you know of any one being refused admission to the hospital who were regular employes of the company?—A. Yes, sir.

Q. Who?—A. I was.

Q. When?—A. When I was at work over there on the Iron Mountain road on the branch on the Walnut Ridge road.

Q. How often did you apply for admission to the hospital?—A. Never but once.

Q. Where was that?—A. It was on the branch at the Walnut Ridge road.

Q. You were refused?—A. Yes, sir.

Q. What was the matter with you?—A. I had laid in a couple of days on that section. I was not very well and did not know that I would need a ticket. The boss came in and said, "John, are you going to work?" I told him I was sick, and he said, "Well, then I will have to get another man in your place;" and he put another man in my place and gave me my time, and I said, "Give me a ticket to the hospital," and he did not give me one.

Q. What was the matter that required your going to the hospital?—A. I had what is called malarial fever.

Q. How long did you remain sick that time?—A. I was sick about two months.

Q. Did you call in any physician?—A. I went to several different ones and went over there to Memphis, Tenn., when I got my time.

Q. What physician in Texas treated you at any time?—A. It was not in Texas; it was in Arkansas.

Q. What physician treated you in Arkansas for that sickness?—A. Well, there was one at Jonesborough waited on me for a while. I do not remember his name.

Q. Have you a family?—A. Yes, sir.

Q. Where were your family at that time?—A. At Jonesborough.

JAMES C. HOWELL recalled and examined.

By Mr. PARKER:

Question. Have you knowledge of a black-list kept by the officers of the road?—A. Yes, sir; during my service as road-master on the International road.

Q. Tell us what you know about it.—A. I have seen several of them. Mr. Scott showed them to me when I was running a section gang for him. He showed two of them to me that I recollect of.

Q. Have you copies of them?—A. I have not got copies.

Q. You may describe them.—A. I received one during the time I was serving as road-master, a year or better than a year ago, prior to last August; some time during the summer.

Q. The summer of last year?—A. Yes, sir; it was from Colonel Henry, general road-master of the Texas and Pacific road, and stated that J. W. Lowe, of Big Sandy, section 16, had been discharged and blacklisted; and it had large black marks on it; and he was blacklisted for being absent from his section without leave.

Q. Was there more than one name on that list?—A. Mr. Reynolds, road-master, and J. L. Henry; the other was of the same kind, but I do not recollect the names.

Q. Was there any other man's name on that?—A. No, sir.

Q. Have you ever seen any other black-list?—A. No, sir; I cannot say that I have.

Q. And that one you saw had only one name on it?—A. It only had one name on it.

Q. Did it use the word "blacklisted" or "black-list" in reference to the name of the person?—A. It read J. W. Lowe, and gave the cause. This, I think, was some time in last summer.

Q. Now, if a man proves untrustworthy is it in your judgment improper to give notice to other employers to that effect?—A. I believe it would be. It is, in my opinion.

Q. Might not the fact that a drunkard was employed on the road tend to the destruction of life?—A. It might do it.

Q. Then would it not be proper for the railroad that the employers should be notified of a man who is a drunkard?—A. No, sir; because in this way they might blacklist a man, and it cuts him out of a job, and he would not be able to get employment elsewhere, and thus leave him and his family to suffer.

Q. Was there a printed head to the paper?—A. Yes, sir.

Q. Were the words "black-list" printed?—A. Yes, sir; and then black marks under it.

Q. Was it written with a pen or printed?—A. I do not recollect.

Q. Was that not simply for the private information of the road, and not to go to other roads?—A. Well, sir, I received it from J. L. Henry.

Q. Who was J. L. Henry?—A. He was general road-master of the Texas and Pacific road.

Q. So far as you have knowledge they have been used only for the purpose for which they were created?—A. I do not know that they have.

Q. The Missouri Pacific, the Texas Pacific, and the International were all operated by the same management?—A. Yes, sir; I think they were.

DAVID W. HUMPHRIES sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. I live here in the city.

Q. And have resided here how long?—A. About three years.

Q. What is your profession?—A. I am an attorney.

Q. What information have you to lay before the committee upon the subject of black-listing employes on any railroad comprised in the Gould system?—A. Well, sir, I have no information hardly of my own personal knowledge at all. I have only a suit against the road here and only know what my client states.

Q. Who is your client?—A. He is C. Behee, and has a suit against the Missouri Pacific.

Q. Where does he reside?—A. I believe at Houston. He has been changing about from place to place without being able to get employment.

Q. The suit has not yet been tried?—A. It has not yet been tried.

Q. Have you any papers that can be traced to the railroad company or any of its officers or employes that would throw any light upon this subject of blacklisting?—A. Well, sir, I have, or ought to have, in my office, I suppose. I am just from there, and I could not find it in my hasty search. But I have got in my office a black-list, as I call it; I believe the head of it reads that way.

Q. You were subpoenaed to produce that paper and you have made search and have not found it?—A. I have not found it during the search that I have been able to make. I think I could find it if I had more time.

Q. Is the paper from any officer of the company?—A. Well, no sir; there is no officer's signature to it.

Q. Is it on any printed form of the company?—A. It is a pamphlet, a kind of a book, with about a thousand names in it, I suppose.

Q. Purporting to be issued by what?—A. Well, the heading of it I have taken out several times, and I think I remember the head of it pretty well. I think it is "Missouri Pacific Railroad leased and operated lines. List of employes discharged for cause;" and then under the heads of months March, April, May, June, July, August, September, and October, 1883—that is the one I think I have; I think there is a note, but I do not remember the substance of it; it is at the head of the book—then under the head a list, railroad, occupation, and cause appears, and then the names of the parties and the reason assigned for discharging them. It is printed, and I suppose there are a thousand names. I have counted about twenty-odd pages.

Q. From whom did you obtain that pamphlet?—A. Well, the pamphlet was brought to me after I brought the suit by a man I think by the name of Gilbert, who was from Palestine.

Q. Do you know whether he has any connection with the company and, if so, what?—A. Well, I do not know where he is now. I think he is in Mississippi.

Q. Do you know whether he has had any connection with the company?—A. He had.

Q. In what capacity?—A. I think as a machinist; that is what he stated. That is my recollection about it.

Q. Did that pamphlet purport to give the names of any who had been discharged since November, 1883?—A. Those are the months that it covers.

Q. Were any of those names underscored?—A. No, sir; I think not. There were just the names.

Q. Just the printed list, with the head, the occupation, and the cause of discharge following each name?—A. Yes, sir.

Q. In that book is the word "black-list" written or printed?—A. I have never examined it very thoroughly, and I do not think it is in it.

Q. You have given us as literally and accurately as you can the language of the pamphlet?—A. Yes, sir.

MR. PARKER. If you should find the book before we get through you will please bring it to us. Understand we simply want to get the language to take a copy of the heading, and return it at once to you.

WITNESS. I think I can find it.

MR. BUCHANAN. You will confer a favor on the committee by bringing it.

Governor BROWN. We will furnish it to you rather than it should not be seen, and will take pleasure in furnishing it.

N. M. LOVIN recalled and examined.

By MR. PARKER:

Question. What do you know about any black-list?—Answer. I had a small book with a great many blacklisted in it. I sent it to another party that called for it in Saint Louis, and I have seen a black-list in my house just like that one.

Q. Was the book you spoke of the one referred to by Mr. Humphrey?—A. It seemed to be. It was something on the same plan as these tables, as if intended to be torn off.

Q. Is this the style of it [showing a pamphlet]?—A. No, sir; that is not exactly. It read across here [indicating], and one of them is on larger paper, as a black-list; and then it goes on and gives the name of the person discharged, and then has written on ruled lines why the person should be placed upon the black-list.

Q. Are these all that you have seen relating to black-lists?—A. Yes, sir.

Q. What dates are covered by the book you have?—A. I think it was 1892 and 1893.

Q. Have you been on the executive board of the Knights of Labor from April, 1885, to January, 1886?—A. Yes. I was elected on the executive board on the 26th or 27th day of April, 1885.

Q. Have you taken any part in the discussion of differences between the employes and the officials of the railroad?—A. Yes, sir; I have in several instances.

Q. Were these adjusted?—A. Some of them were and some of them were not. Some of them we failed to get adjusted. The first one that we had was in May, 1885, on the Missouri Pacific, and it was settled.

Q. Satisfactorily?—A. Satisfactorily to all parties. The order was that track-walkers should be reduced 25 cents per day and take effect at once; section foremen \$5 per month. That was settled satisfactorily to all parties.

Q. Do you know of any violations of the contract of March 15, 1885?—A. While that committee was trying to get a settlement we were at Marshall, and I saw Mr. Cumming just after the reduction of section foremen from \$54 to \$50 per month. I went again and tried to get that matter settled with Mr. Cumming, and he said it was an order from Mr. Hoxie and he could not deal with it. We then asked for a transportation to Saint

Louis and he gave us a transportation there. While there we effected a settlement with Mr. Hoxie to a certain extent.

Q. Did you agree upon an adjustment?—A. There was a circular issued, a copy of which Mr. Litchman has, while we were in Saint Louis. We were there somewhere near a week. Afterwards we had no trouble until in July, but in that month there was a meeting in Parsons, Kans., and afterwards there was some little trouble there; but we concluded that we would try and get these matters settled, and try to get the men to continue to stay longer and not to create any disturbance. Afterwards, I think it was in September, it was brought to my notice that the unskilled laborers, as they are termed, in the roundhouse at Fort Worth had been reduced from a dollar and twenty-five to a dollar and fifteen cents a day. We interviewed Mr. Cumming about it, and he said it was owing to the men refusing to work eleven hours for a dollar and twenty-six cents for eleven hours. They refused to work over ten hours, and therefore he reduced them in proportion. He would only pay them according to the number of hours they were there, and said that they were of that class of laborers whom it was required should work eleven hours. From November up to January I was trying to have that adjusted.

Q. What were these men paid in September, 1884?—A. Well, they informed me—I did not examine to find out particularly about that—but I was informed by the chairman of the local executive that in September, 1884, they received a dollar and twenty-six cents.

Q. For a day of eleven hours?—A. Of course they worked eleven hours.

Q. Then the fact was, as they stated, that their time was reduced and that their pay was reduced proportionately, and they demanded that their pay should not be reduced because the hours were reduced?—A. The hours of work had been eleven, and they wanted either ten or to receive extra for the extra hour.

Q. Do you know of any other violation?—A. Well, Mr. Painter, the foreman of the Missouri Pacific yards, in Fort Worth in September, 1884, was receiving a hundred dollars per month. He had a boss wrecker working under him, named Milligan, that received \$80. That continued until about June, 1885, when the foreman received an order to go back to Saint Louis from his former employer, and the man whom we call boss wrecker was made foreman in his stead. In the meantime the foreman in the roundhouse was made general foreman, and he had supervision of the foreman of the car department. The foreman in the car department received a hundred dollars per month or something like a hundred dollars a month. He was only placed at \$90. I went to Big Springs to see Mr. Fielding upon that and saw him; and at that time there was a request that I should not say anything about any raise of wages on the road as there was a great deal of disturbance, but he said he would see that the matter was satisfactorily settled in the future. The committee always found Mr. Fielding very fair in trying to settle difficulties, and we depended on him to see that the matter was adjusted. He had some difficulty about the wages with Mr. Cumming, who wrote him a letter stating that the wages had been placed at certain figures under instructions. There was some little difficulty here between Mr. Woods and Mr. Cumming, and we did not want any more at the present time, and we let the matter rest.

Q. And it did so rest until the present time?—A. Yes, sir.

Q. And you let it rest until the strike came, and nothing has been done since?—A. Nothing has been done since.

Q. Do you know of any grievance of the employes in connection with the Great Northern Railroad that is unadjusted?—A. Nothing more than the general grievance in regard to the whole system of wages of unskilled laborers; asking that they be replaced at \$1.50 per day.

Q. Instead of a dollar and fifteen, which they received?—A. Yes, sir.

Q. Has any application been made to the receivers of this road to increase the pay from a dollar and fifteen to a dollar and fifty cents?—A. I was not on the executive board after the receivers took charge.

Q. Do you know whether such an application has been made?—A. I do not know.

Q. You had a conversation with Mr. Maddox that you wished to make some statement about?—A. On the 2d of April I was up at the car-house here, and went from here and had started home. I live on the east side of the Missouri Pacific road. Trouble occurred in the yards there, and I was going on my way home. I got up to the crossing there and met with Mr. Maddox on the west side of the crossing. He asked me where this thing would end. I said, "Mr. Maddox, it looks very like this matter was going to run into civil war." He said, "I believe you are in favor of it;" and I said, "I would be in favor of civil war in preference to slavery." I spoke it so plain that he could not misunderstand "in preference to slavery;" no that I was in favor of a mob or anything of that kind, but in favor of a civil war in preference to slavery. He says, "And if the thing was to come up you would be off at a pretty safe distance." I said, "I will stand as close as you would." Then he said, "I am surprised to hear you talk that way,

being a leader of the Knights of Labor, or organization," or something of that kind. I had not the slightest idea of anything looking to a mob or anything of the kind.

Q. This you understand to be the same conversation that he testified about here?—A. Yes. It is the only conversation we had that could have led to anything of that sort. We had a conversation at the car-house in which he asked me if I could do anything with the men.

Q. No matter, unless it was a conversation that he referred to.—A. He wanted me to go down and see if I could not get the men away from there. I told him I understood from the newspapers that the strike had been ended, and I would like for all parties to hold up and do nothing until we could get word from Saint Louis, and I would send to the mail and see if there was anything there for me. I staid up town all day to get word without getting an answer to a telegram. That was on the 1st day of May. He told me some threats had been made against him, and I said I was sorry to know of such a state of affairs. My aim was to settle everything peaceably. I was opposed to the strike in the first place. I have always tried to get this matter arbitrated. I wrote to Mr. Kerrigan to try to get the general superintendent of each road together and we would go to Saint Louis and meet with them there and try to come to some understanding by which these matters would be adjusted and everything would be settled so that there should be no difficulty in the future and so that everything would work smoothly and peaceably. I spoke to Mr. Herrin about it and asked him if he approved of my writing to Kerrigan. He thought it would be a very good idea to try by friendly discussion to settle this matter. So with that understanding I wrote to Mr. Kerrigan and got a reply about the 24th of December that he knew of no disturbances, no grievances, and no trouble on the road, and declined to meet the executive board of district 101, and also refused to grant transportation to the men who wished to go and see him.

Q. (By Mr. BUCHANAN.) Have you got that letter?—A. The letter is at my house. It is dated the 24th of December; it is in print in type-writer, and his name signed to it. I will send it to Marshall.

Q. (By Mr. PARKER.) Was that all the conversation you had with Mr. Maddox?
The WITNESS. Yes, sir.

Q. Did you advise against this strike?—A. I advised conciliation, and to use every effort to arbitrate, and see if they could not settle without a strike.

Q. When the question came before you to pass upon this strike were you in favor of it?—A. The strike here—I was in favor of it if we could not get it settled, and my advice to the executive board was to use every effort to try and get a peaceable and amicable settlement and not to order a strike if the matter could be settled.

Q. As a member of the local assembly were you in favor of this strike?—A. I was not here at the time.

Q. What is your birth-place?—A. Mississippi.

Q. (By Mr. BUCHANAN.) What position in the order do you say you now fill?

The WITNESS. I am master workman of a local assembly and district master workman of the district assembly.

Q. What does the district assembly embrace territorially?—A. It embraces the Gould Southwest system of leased and operated lines, the Texas and Pacific, and all their branches, and it is in what is known as a trade district assembly, comprising the employees of these different railroads.

Q. These local assemblies are composed of railroad men?—A. Yes, sir.

Q. And the district assembly is composed of delegates from the local assemblies?—A. Yes, sir.

Q. The membership of these assemblies is not composed of all trades, but simply of one?—A. Well, now in some instances there are different trades in the same local assembly—carpenters, machinists, blacksmiths and their helpers, and unskilled laborers, if they are employed on the road in Texas. We admit none others. My local assembly is 4224. We admit no person that is not employed by one of these different roads.

Q. These different assemblies are made into a railroad district. Do you know the principles of the Knights of Labor pretty well?—A. Yes, sir; I am pretty well versed in them.

Q. Is there anything anywhere in the principles of the order which justifies violence toward the lives of any one or to property under any circumstances?—A. No, sir.

Q. Does not, then, a Knight of Labor who destroys property or assaults persons do so in violation of his duty as a member of the order?—A. Yes, sir.

Q. Do you approve of such assaults upon persons or injuries to property?—A. Well, now, I suppose you have reference to the time of strike. We propose to be peaceful in all things. We do not propose to violate the rights of property or anything of that sort; nor commit assaults upon individuals. I would like to state something in regard to those grievances that were set forth.

Q. (By Mr. PARKER.) Have any Knights of Labor been expelled from the order for taking part in those assaults upon persons or injuries to property?—A. Well, sir, if there had I cannot say that I am cognizant of the fact that there has.

Q. Do you know of instances of assaults upon persons or of injuries to property made by strikers?—A. Not to my personal knowledge. There was something I would like to state in regard to those grievances. It has been stated here to-day by several that no cause was assigned for the strike. It was published in the daily papers of this city that I know of, and several towns, as far back as the 4th of March, setting forth the cause for this strike and the grievances that the men claimed, and what they were asking for.

Q. (By Mr. BUCHANAN.) Can you produce a copy of one of those issues?—A. Yes, sir; I have it in my pocket now. That was handed to the committee on the 3d [handing paper to Mr. Buchanan].

Q. Is this from the Fort Worth Gazette, Thursday, March 4 [indicating]?—A. Yes, sir.

The paper was then read, as follows:

“LABORING MEN OF ALL CLASSES!

“Whereas the Missouri Pacific, leased and operated lines, and Texas and Pacific Railway are now employing convict and Chinese labor on their different railways in Texas to the detriment of honest labor; and

“Whereas the said railways are continually violating their contract of March 15, 1885, and in fact have never complied with its provisions; and

“Whereas we have resolved to come to the rescue of our downtrodden brethren, known as unskilled laborers: Therefore,

“*Be it resolved*, That we call upon all laborers, track-men, engine-wipers, coach-cleaners, baggage and freight hands, &c., to lend us their aid in driving convict and Chinese labor from our different roads, and that all laborers receive just and fair remuneration for their services. Track-men, get clear out of sight of the track until we gain your victory.

“KNIGHTS OF LABOR.”

Q. (By Mr. BUCHANAN.) That is the publication to which you refer?—A. Yes, sir. It will show that these grievances were set forth at the time of the strike.

GEORGE W. MILLIGAN sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Fort Worth.

Q. What is your business?—A. I am a car repairer; that is what I have been working at for about three years, and have had charge of the car department for about ten months.

Q. Are you now in the employ of the company?—A. I left on the 1st of March, when the whistle blew.

Q. What do you know about this black-list matter?—A. I have seen several of the books, three or four of them.

Q. Under what circumstances did you see them?—A. They were shown to me by the foreman.

Q. Have you a copy of them now?—A. No, sir.

Q. Do you remember what dates they were?—A. 1884, and I think one in 1885.

Q. What months of 1885?—A. I think January; I would not be positive, but I think it is the first quarter.

Q. You have heard such a book spoken of by a witness who gave us a description of the head of the book?—A. No, sir; I have not been in.

Q. What do you know about any violation by the company of the contract of March, 1885?—A. Well, I am not familiar with any grievances, only probably one or two, and that is in regard to the freight-house department. They did not get their September wages according to March, 1885, contract; and the wipers who refused to work eleven hours were cut down 10 cents in the roundhouse.

Q. At the freight-house they did not get their September wages?—A. No, sir.

Q. What had been their wages prior to September?—A. That I cannot tell.

Q. What were their wages subsequent to September?—A. There was a reduction of \$10 and \$15.

Q. How do you know that there was a reduction if you do not know what their wages were?—A. Only what the employés said; they all spoke about it.

Q. Do you know what they were paid in the month of September, 1884?—A. No, sir.

Q. Did they go out in the strike of March, 1885?—A. Yes, sir.

Q. Do you know what their wages were at the time they struck in March, 1885?—A. I cannot say what their wages were.

Q. What do you know about any grievances which they had?—A. Well, all I know was that they went out on the strike to get the reduction back and they failed to get it.

Q. You have their statement for it and you have no knowledge of your own?—A. I do not know what they drew before and I do not know what they draw now or what they got after the strike.

Q. Well, now, as to the wipers?—A. I am just in the same fix as to them as I was to the warehouse men.

Q. Do you know any of these men?—A. I am well acquainted with them when I meet them face to face.

Q. Are there any of them in the room?—A. I cannot say.

Mr. BUCHANAN. Just look round and see if you can identify any of them so that we can have them introduced and their testimony taken.

WITNESS. I do not see anybody that I know.

Mr. BUCHANAN (speaking to the audience). Is there any one of those men spoken of by this witness present in the room. If so, come forward so that we may take your testimony.

No person responded.

Mr. BUCHANAN (to witness). Did you make complaint to Mr. Lovin in regard to your duties and wages while working as foreman in the car-repair shop and ask to have them adjusted?

The WITNESS. Just verbally.

Q. What was done with your complaint?—A. I do not know. He spoke to Mr. Fielding, master mechanic, about it, so he told me, and he said he would look over the books, and if he found a foreman of the car department that had filled the place previously had got a hundred dollars, my wages would be raised to a hundred dollars. They turned it over to him, and I got only \$90. I did not know at the time what I was going to get, but they said they would make it interesting for me. I thought it would be in work, but they said it would be in salary.

Q. Who was your predecessor in the car department?—A. Painter. He afterwards went from here to Saint Louis.

Q. When did you enter that department as having charge of it?—A. In June, 1885.

Q. Have you any knowledge of what your predecessor got?—A. Yes, sir; because his time-check was sent to me, and it was \$99.75.

Q. How much were you paid?—A. I got \$90 for doing the wrecking and the car matter together.

Q. How many hours a day did you work?—Well, when we had wrecking to do, and there was considerable of it, as we had to do it on the Missonri Pacific and the Texas and Pacific, we were out a pretty long time.

Q. Have you applied since to be employed in the same position at the same wages?—A. I just made application for my place.

Q. And you expected at the old compensation?—A. Yes, sir. Well, in regard to the wages paid, when I saw the order in the papers laying the strike off, I went back and made application to Mr. Deitz, and then I was ordered to apply to the United States court. The boys told me that he took me for Mr. Lovin.

Q. Was not there a foreman up there?—A. Mr. Lock, that appointed me, was master mechanic on the Texas and Pacific, and he said that he was put in the motive department in name only.

Q. Was not there a foreman up there?—A. I was not the master mechanic at that place.

Q. Was there not another person up there?—A. Not that I was aware of. I have a letter here I would like to show you as you spoke of the black-list.

Q. Is it on a part of this system?—A. No; it is on another road.

Q. Our resolution confines the investigation to these roads.—A. No, sir; it is not on these roads. I thought it might have a bearing on it.

Q. Did anybody ask you the reason of your going out on this strike?—A. Yes, sir; I believe men asked me about it.

Q. Have you ever told anybody you did not want your head broke?—A. No, sir.

Q. Are you certain?—A. I never made that expression.

DAVID W. HUMPHREYS recalled and examined.

By Mr. PARKER:

Question. Mr. Humphreys, did you find the pamphlet you referred to?—Answer. Yes, sir. The question asked me concerning the working of the black-list I want to say something about in explanation of that expression.

Mr. BUCHANAN (handing the book to witness). Please read the heading of that book? The WITNESS. "Missouri Pacific Railway Company, leased and operated lines. List of employes discharged for cause during the months of April, May, June, July, August, September, and October, 1883;" and then there is a note here "for the personal and private information of the officers of this company only." Then follows the list of names and the occupation. The headings are, "date, division, name, occupation, cause;" and on the third page is the name that I referred to. It appears down here under the title of "date, division, name, occupation and cause." "M. K. & T. September, Behee, C, brakeman ———, under the head of cause. You asked if the word "black-list" is used in connection with that.

Q. I asked if the word "black-list" was used in that pamphlet?—A. It is not; but I saw it on a paper signed by an officer of the road.

Q. Just read it.—A. "Fort Worth, December, 1883. The bearer, Charles Behee, was employed in this division in September, 1883, as a brakeman. He left the service of his own accord. There must have been an error made in placing his name on the black-list. Signed: J. T. Ray, Train-master," with the seal of the Missouri Pacific Railway Company stamped on it.

Q. (By Mr. PARKER.) Have you any knowledge that that letter refers to this pamphlet?—A. I have only a statement of the party here that is named in this black-list.

Q. By (Mr. BUCHANAN.) And upon these papers you, as an attorney, have brought suit against the company. He was discharged and they have placed his name on the black-list and that suit is brought to obtain damages. What are the damages laid at?—A. \$25,000.

The committee then adjourned to meet at Galveston to-morrow at the call of the chairman.

GALVESTON, *Saturday, May 8, 1886.*

The subcommittee, of which Hon. W. H. Crain is chairman, convened at the Beach Hotel, in Galveston, this day, and proceeded to take testimony.

JEREMIAH N. SAWYER sworn and examined.

By the CHAIRMAN:

Question. How long have you resided in Galveston?—Answer. Seventeen years.

Q. What business are you engaged in, if any?—A. Shipping and commission business.

Q. Are you connected with the Mallory Steamship Line, that runs from here to New York?—A. My firm has the agency of that line.

Q. What is the name and style of your firm?—A. J. N. Sawyer & Co.

Q. Did the employes of the Missouri Pacific system at Galveston go on a strike this year?—A. Yes, sir. In the March strike the employes went out on the Missouri Pacific system in Galveston. I think their places were filled at once.

Q. What was the effect of the strike upon the business of the city of Galveston, and, if you know, of the city of Houston?—A. The strike of March, sir?

Q. What is called the strike of the southwestern system of the Missouri Pacific and its leased lines.—A. It was very prostrating in its effect upon the general business of Galveston.

Q. In what way did it affect business here?—A. It diverted business from Galveston, and diverted the business from passing through Galveston, and in a great measure stopped business. The strike caused a stoppage of territorial business, and I predicate that on the fact that the Missouri Pacific and Texas and Pacific system draws 52 per cent. of what is known as the Traffic Association pool, and that half of the railway system of the State was stopped for six weeks.

Q. You speak in reference to the State pool?—A. Yes, sir; and Galveston draws her business from the State, and is largely interested in the territory covered by these roads. Hence her business must necessarily have been very much injured.

Q. Does your position as agent of the Mallory line enable you to tell, with any degree of accuracy, how business was affected here?—A. The supplies, of course, in that case were brought by the Mallory line to Galveston and distributed over the State by the Missouri Pacific system, and that affected the consignment of freight from New York. In that territory it almost entirely stopped them. About one-third of the trade of the Mallory line is drawn through and carried into that portion of the State.

Q. You mean, I suppose, that your vessels do not bring a quantity of freight for any particular section?—A. It does not for any particular direction.

Q. Did the strike affect the business of the Mallory line?—A. Very disastrously during the strike—I mean when the roads were entirely stopped.

Q. When they resumed, I presume the freights commenced to come and go as before the strike?—A. As the road opened; but from the fact of the business being diverged by other roads than through Galveston, it has not resumed its wonted amount as yet.

Q. The effect of the strike was to divert the freight to a different channel?—A. Yes, sir.

Q. And your business has not resumed its wonted channel? What proportion of the freights you bring to Galveston or take away from Galveston are brought for and taken from that chartered corporation?—A. About 36 per cent.

Q. So that during the strike your line lost 36 per cent. of its business?—A. Yes, sir.

Q. By reason of the strike?—A. Yes, sir.

Q. In general terms, about what amount of business would that be in dollars and cents—I mean not only the freight money that your line would make, but also the freight itself?—A. Mr. Chairman, the strike of March grew out of, so far as Galveston is concerned, other strikes, and it would be difficult to separate the injury to Galveston or Houston from the diversion that was made in the former strike. I have made no figures upon the amount involved.

Q. You have already stated, I think, in general terms, that this strike affected the business interests of Galveston very seriously. Do you know how the business interests of Houston were interfered with?—A. No, sir.

Q. Do you know anything of any particular lines of business that were affected, and, if so, how they were?—A. That, I think, could be got from individual merchants.

Q. Sometimes we have got it all from one witness.—A. During four weeks we made no shipments at all over that territory.

Q. Was not the Morgan line running during that period?—A. I do not think it changed its business after the Missouri Pacific and Texas and Pacific were closed by the strike.

Q. Has the Morgan line any business connection with the Missouri Pacific?—A. I suppose they do business with that company, but it is very small; their principal business is with the Southern Pacific, their own road. The Morgan line does business to some points that are reached by this other system, and I think their business was enhanced by the strike to local points.

Q. (By Mr. PARKER.) You state that this strike seemed to be connected somewhat with some other disturbances previous to this strike?—A. Yes, sir.

Q. Well, do you know anything of these other disturbances that is connected in any way with this strike?—A. I do not know that there is a connection except upon the general principle of strikes.

Q. Was this strike in any way the effect of the other strike?—A. I think not. This strike occurred on the Texas and Pacific, in the northern part of the State.

Q. Was a portion of the seed needed for the spring delayed, or was that supplied before the strike?—A. I think that was in before the strike, but I am not conversant upon the agricultural interests.

Q. Did you state the period of the disturbance as it existed here—the time of the last disturbance?—A. No, sir; I did not state that.

Q. About how long was it?—A. It terminated on the 2d of March.

Q. About how long did the strike of March disturb your relations?—A. Directly about six weeks, and indirectly it continues now.

Q. So that you have not resumed fully?—A. Of freight that otherwise would have passed here, no, sir.

Q. Had you any notice or information of the strike until it had begun?—A. No, sir.

Q. Along the track were towns that could only be served here through the Gould system, as it is called, which was covered by the strike?—A. With the exception of two, three, or four, or a few towns, the entire system of our charter was closed from Dallas and Fort Worth, which few places were reached by other roads.

Q. (By Mr. BUCHANAN.) Can you approximate the proportion of the entire trade of Galveston with the interior of the State of Texas, and the trade that passed out through the lines of the Texas and Pacific and the Missouri Pacific, and the lines involved in the strike of 1886?—A. No, I cannot, sir. The city of Galveston has a trade independent of all portions of the State.

JULIUS RUNGE sworn and examined:

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. In the city of Galveston.

Q. And how long have you resided here?—A. For the last eighteen years.

Q. What business are you connected with?—A. Cotton and grocery and exporting business.

Q. With what portions of the State of Texas is your business connected?—A. We are connected with all parts of the State, more so with the southern center and middle portion than northern.

Q. Did your business suffer any interruption on the Texas and Pacific and Missouri Pacific and the roads operated in connection therewith?—A. Yes, sir.

Q. Please state the circumstances fully.—A. We had six or eight hundred less bales of cotton during the period of this strike than we would have had but for the strike. At all points on the Gould system business stopped nearly entirely, and all other business at other places seemed simply to wait for developments.

Q. Have you made any estimate of the percentage of loss or diminution of business occasioned to you by that strike during its continuance?—A. No, sir. It would be almost utterly impossible to estimate the amount. Men who were traveling would generally report that they could not do any business. What it would have been but for the strike it would be impossible to state.

Q. Are the shipments which you make sent all over this road, either in receipts or shipments?—A. The receipts are mostly from other States.

Q. And what you receive over these roads is sent where?—A. The cotton is sent here and a great portion of it is sold for export.

Q. So that the trade which passes over these roads, and which was interfered with by this strike, is not only interstate, but also international trade?—A. Yes, sir.

Q. You have spoken so far of the temporary diminution of your business by this strike; what have you to say as to the permanent effects in diverting the trade or threatens to be permanent?—A. I do not know that it is going to be permanent after the strikes are all over. I do not know that there will be any permanent diversion of trade from Galveston.

GEORGE SEELIGSON sworn and examined.

By Mr. PARKER:

Question. Are you a resident of Galveston?—Answer. Yes, sir.

Q. And have been for how long?—A. I have been in business here for eleven years, and I was born here.

Q. What is your present business?—A. I am wholesale grocer.

Q. Were you connected with that business during the period of the strike in March last?—A. Yes, sir.

Q. How did the strike affect your business?—A. I think our business suffered 30 per cent. loss.

Q. What was the effect upon the city, in general terms—to other businesses in the city?—A. There was a great feeling of uncertainty in everything and a general stagnation in business.

Q. Were you also troubled as to obtaining goods?—A. Oh, yes; we had great difficulty in getting goods.

Q. And also shipping goods on the Gould system?—A. We could not ship at all on the Gould system.

Q. Was there any notice given of the strike before it came?—A. Oh, no, sir; none at all.

Q. What was the effect of the strike without notice upon goods in transit?—A. They were side-tracked where they happened to be.

Q. Did this necessarily include some time freight—perishable produce?—A. Well, I was very fortunate myself; it just happened that most of my perishable freight was in; but a great many persons suffered in that way—by the loss of perishable goods.

Q. Is the necessary effect of such a strike without notice to injure the transmission of perishable freight and injure the value of time freight?—A. Certainly; if it was stopped in transit and sold at the place stopped it would bring something, but if not it is a double loss; as perishable property it is generally shipped with a guarantee for its delivery by the company.

Q. You may state in general terms the injury to other kinds of business in the city. That is, as to whether it injured them in a similar degree?—A. Well, of course a strike of that kind creates a bad feeling, and there is a general want of confidence. It stops dealing, and people from investing in their business.

Q. In your opinion is the full effect over yet, or does the injurious effects seem to continue?—A. I do not know that we will get over it for months yet. It diverted a good deal of trade from this town which it will take us a considerable time to get back.

Q. Your freights are received from cities in other States?—A. Yes, sir, altogether.

Q. And some portions are shipped to other States than Texas?—A. Yes, sir.

Q. (By Mr. BUCHANAN). What proportion of your supplies come by water transportation?—A. I suppose we get probably half by water and half by rail.

Q. And of the half by rail, what proportion over what is known as the Gould system?—A. I guess it would be safe to say seven-eighths of that amount.

Q. You state that your sales diminished about 30 per cent?—A. Yes, sir.

Q. What is the prospect for that loss being made up after the strike?—A. I do not think we can ever get that back.

Q. But will the same supplies be needed?—A. Oh, yes, certainly; but people that have done without coffee and sugar so long, they cannot consume that amount additional afterwards.

Q. You mean by that that there are articles that they have been precluded from purchasing they might otherwise have obtained?—A. That which they would have consumed they are not going to obtain a supply of afterwards.

LEON BLUM sworn and examined.

By the CHAIRMAN.

Question. How long have you been in business in the city of Galveston?—Answer. About 25 years.

Q. What business are you connected with?—A. General wholesale dry goods business.

Q. How far does your trade extend, Mr. Blum?—A. It extends as far as Mexico and the Rio Grande; all over the State of Texas and a portion of Louisiana.

Q. Was your business affected by the late strike on the southwestern system?—A. It was considerably.

Q. To what extent, if you are able to say—what percentage?—A. As long as it lasted about 40 per cent.

Q. Can you form any estimate of the amount of loss that you sustained in dollars and cents?—A. In the sale of goods I expect fully \$100,000.

Q. About how much is the aggregate amount of your annual sales?—A. A little over three millions.

Q. Will your sales amount to that this year, judging from the business that you have done during the past few months?—A. We have lost a great deal of trade, and there is no telling how much. It is impossible to calculate, because a great many of my customers have left me altogether.

Q. How long would it likely take you to get them back?—A. It is a question of time and an immense expense. We will have to send men there at an enormous expense to work on them.

Q. Can you give this committee any idea of the aggregate amount of loss that Galveston sustained to her business directly and indirectly by reason of the late strike?—A. It is \$1,000,000 in sales.

Q. Do you know about what is the aggregate amount of business done by the merchants of Galveston? As your firm does a business of over \$3,000,000 a year, if you can give the committee an idea of the gross amount of business done here of all kinds we would be glad to have it?—A. I dare say it is \$15,000,000 or \$18,000,000, or more than that.

Q. Do you think that all this business was affected in the same proportion as yours was?—A. I think the wholesale business was.

Q. Are you confining yourself to the wholesale trade when you say the business is \$15,000,000 or \$18,000,000, or more, and think your loss was about 40 per cent.?—A. We may differ from others in stating the result it will have hereafter. This trade is a very delicate question to tamper with. Once lost to a town it is very hard to get back again.

Q. How long did the paralysis of trade last in Galveston?—A. Well, between six weeks and two months.

Q. Was there any effect upon the business of Galveston from the general depression in business as well as from this strike?—A. The whole of the depression was caused from this strike. The strike was just about the season when our trade would begin to open, and times seemed as if they were going to be on a boom; trade never started any better since I have been in business here.

Q. Were the prospects very bright, then, for a large volume of business?—A. I never saw a better prospect for business than there was just before this strike.

Q. What was the result of the strike?—A. The boom was not realized; the strike killed it completely; we were knocked flatter than a flounder; no money coming in from the country and no way of trying to do business.

Q. What effect had it upon the laboring men—clerks and other employes engaged here, that were not participants in the strike?—A. Well, it naturally caused some employers to dispense with the services of some of their clerks and employes.

Q. They were thrown out of employment and were losers to the extent of their salaries?—A. Yes, sir.

Q. Was anybody benefited by this strike that you know of?

The WITNESS. In this town?

The CHAIRMAN. Yes, sir.

The WITNESS. No, sir. I think that everybody was affected to the contrary, and that nobody was favorably affected.

Q. How many traveling salesmen do you employ in your business?—A. Between 25 and 30.

Q. Did you continue them all in the field when the strike came?—A. We called in some.

Q. What did you do in regard to those who traveled on the Missouri Pacific?—A. We just had to quit, as they did not do any business.

Q. Do you mean that the salesmen transacted no business and that they were not able to take any orders?—A. That is it. A great many of my customers are personal friends, and they said they are perfectly willing to deal with me when this trouble is over, but for the present they could not have any business arrangements with me.

Q. And if that was so with your personal friends, I presume it existed to a still greater extent with those who were not tied to you by friendship?—A. Of course. It is difficult in estimating the loss by per cent. to know how much of this we will be able to get back. All we can do is to work on these customers and try to get them back.

Q. Did you receive any communications from customers in relations to the condition of affairs brought about by the strike? If so, state in substance what those communications contained.—A. Well, it was to the effect that they would like to buy from us if it was not for the strikes, and some of our customers requested us not to put our names on the cases, for fear it might be found that they bought from us.

Q. Why?—A. Because we were boycotted, and those who were buying of us were threatened by the Knights of Labor, who said they would not trade with them.

Q. Did these people not want your names to appear for fear it would injure their business?—A. Their business would be injured.

Q. Did you comply with that request?—A. In some instances we did; we kept our names off the boxes.

Q. Anything further that you desire to state in connection with this?—A. I cannot think of anything else, except that these strikes keep individual capital from being distributed naturally, and that our laborers—these people that receive their money for work—are not the only ones who are directly affected. Those that have their money in their pockets are the ones that can discount the active merchant's paper at a large discount, and finally they absorb the active business man's capital. This man that risks his money in active business is a laborer. He takes the chances to make or lose, and in that way money is kept in proper circulation.

Q. Is it not a fact that the laboring man depends for employment upon the man who puts his capital in business and enterprises of various kinds?—A. That is the only man that they can depend upon—the man that takes the chances on making or losing. He may make one year; and he can do business with a risk that may make a fortune one year, and he may lose double the next.

Q. If the employers are forced out of business by any cause, what is the effect on the laboring men who are dependent upon them for employment?—A. Well, they have to do the best they can by begging and trying to get out of the city, or "root, hog, or die" in the country.

Q. Is not the discounting of commercial paper very often due to a strike?—A. If the merchant does a good business he does not need to borrow any money, but when he does not do any business he lives upon expectation and gets money at any rate of interest. That has been the case in this strike, where business men have been able to keep up by payment of any rate of interest, just to hold up and wait for the trouble to clear away. There is no man in active business that gives accommodation that has enough capital for the demands; and hence these strikes make the rate of interest higher for business men.

WILLIAM G. HALSEY sworn and examined.

By Mr. PARKER:

Question. In what business are you engaged?—Answer. In the corn mills in Galveston and a store at Harrisburg, in Harris county.

Q. How far is that from here?—A. Forty-five miles.

Q. Connected with this place by what road?—A. By the Missouri Pacific.

Q. Were you connected with this business during the period of this strike?—A. Yes, sir. I have had a store at Harrisburg for twenty years.

Q. Did the strike affect your business?—A. Yes, sir.

Q. Both parts of it?—A. Yes, sir.

Q. You may go on and state in what way it was affected.—A. It affected the store at Harrisburg. It is boycotted because I bought goods of the merchants in Galveston—from Blum and other merchants. When the goods arrived at Harrisburg I was notified by a committee of Knights of Labor that if I did not send them back my store would be boycotted.

Q. When was that?—A. About the first of April.

Q. Can you give the names of the men who gave you this notice?—A. George Taylor was one, one Fitzpatrick, and I have forgotten the other name.

Q. Do you know of any official position in the Knights of Labor that they hold?—
A. They were appointed as a boycott committee to notify me.

Q. Did they give you written or verbal notice?—A. Verbal notice.

Q. You may repeat it?—A. "If you do not send those goods back to Galveston we will boycott your store."

Q. What answer did you make?—A. I told them I had traded twenty years with Blum, and would not do it.

Q. What did they do?—A. They boycotted the store.

Q. How did they do it?—A. In Harrisburg a majority of the people are Knights of Labor, because it is a railroad town, and all but very few of my customers are Knights of Labor. They withdrew their patronage of course. They quit trading at the store.

Q. Were there any notices posted?—A. A printed notice was given with the names of merchants in Galveston that were boycotted.

Q. Do you know whether your name was put in any notice?—A. I never saw it in any notice.

Q. Did you find that your trade was injured?—A. In the month of April, about one-third of the sales was lost.

Q. You may state the effect upon your business by the disturbances in railroad transportation.—A. There was no disturbance. We could get all the goods we wanted from Galveston during the strike, as far as Houston, on any road, and from Houston back to Harrisburg in the last strike, in the Missouri Pacific strike.

Q. How did it happen that that road was not stopped?—A. That road is run by three companies from Galveston. There was the Missouri Pacific, the Texas Central, and the Southern Pacific. They run that road in partnership. The Missouri Pacific could not send goods, but the Southern Pacific could.

Q. Consequently goods went to Houston without disturbance?—A. Yes, sir.

Q. Then from Houston to Harrisburg how did the goods go?—Harrisburg is back of this city.

Q. On this side, between here and Houston?—A. Yes, sir.

Q. Then you were not injured by the disturbance in transportation at Harrisburg?—A. No, sir.

Q. Were you injured in your business here by the strike?—A. Yes, sir. From points north of Houston no goods could come.

Q. Upon what system?—A. On the Missouri Pacific. We send a good many goods on the Missouri Pacific north of Houston, and a good many of our goods come from Galveston.

Q. You send also trade to other points outside?—A. Some; but our trade is mostly with Houston wholesale merchants and Galveston wholesale merchants.

Q. But some of it is inter-State commerce from outside of the State?—A. Almost entirely.

Q. Now, as to any other circumstances connected with the strike, or your business as affected by it, that you would like to state.—A. Well, we get most of our supplies for the mill from Kansas and Missouri. We had no corn for some time, because the shipping of corn was shut off.

Q. Can you give the amount of the entire loss, or the percentage of reduction of your trade that you attribute to that cause?—A. I cannot give it.

Q. Was it considerable, to the best of your knowledge?—A. About 10 per cent.

Q. Had you freight on the road when the strike began?—A. I had, sir.

Q. What became of the freight?—A. It waited until the strike was over.

Q. So far as you saw, every business in the city of Galveston and other points where you do business was affected as you describe?—A. I think it was.

Q. Always injuriously?—A. Yes, sir.

Q. (By Mr. BUCHANAN.) You spoke of boycotting; did the committee that waited upon you, or did any one that ceased to deal with you, state as a reason for no longer dealing with you any other reason than the one you have mentioned, that the merchants of whom you purchased have been boycotted?—A. No other reason.

Q. And did any of them say that that boycott had arisen because of differences between the Texas and Pacific and its employes?—A. They did not.

Q. Or the Missouri Pacific and its employes?—A. They did not.

Q. Or any leased or connecting lines?—A. They did not.

Q. Then as far as your information goes the boycott, which was the primary trouble, was not connected with the late strike upon that system?—A. So far as I know, it was not.

Mr. BUCHANAN. I suggest for consideration, Mr. Chairman, whether we allow that testimony in reference to the boycott to remain in the record.

The committee then went into executive session to consider whether the testimony as to boycotting should be admitted. When the committee resumed open session,

The CHAIRMAN said: By the terms of our resolution, the question of the Mallory boycott, the committee has decided, does not come within the scope of this investiga-

tion, and we have concluded that we cannot examine into it; and I further state that the committee proposed to Mr. Litchman, who is a representative of the Knights of Labor, and who has traveled with the subcommittee under instructions from Mr. Powderly, general master workman of the order, that we would permit him to introduce one witness in reply to the evidence given by the witness on the stand, but that he declined to do so, on the ground that the statement of the witness, under the examination by Mr. Buchanan, shows that this boycott originated, not from the strike of March, but from causes anterior to that time. We will, therefore, permit this testimony to be part of the record, but we will exclude any further testimony on the Mallory boycott.

ROBERT B. HAWLEY sworn and examined.

By the CHAIRMAN:

Question. How long have you been engaged in business in the city of Galveston?—Answer. Nine years.

Q. What is the nature of your business?—A. We are jobbers in staple groceries and grain.

Q. What is the extent of your annual business?—A. Well, it varies from one to two million dollars a year, according to the condition of trade.

Q. What was the business prospect before the strike of March, 1886, in Galveston?—A. It was very hopeful, and bid fair to be more satisfactory than the year before, or the year prior to that.

Q. Should you say the prospect changed, if at all, by the strike on the Missouri Pacific Railway system?—A. That question covers a good deal of ground.

Q. Hence you may proceed to answer in your own way.—A. The immediate effect, so far as my own feelings were concerned, and as far as those that I have consulted with, was practically to call a halt in every projected business. For example, Galveston in its relations with the interior—and its almost exclusive business is with the interior of Texas—is a carrying business; it necessarily carries from the 1st of March until the close of the year, the harvest season, a large number of persons in a very extensive way. This strike caused the merchants extending these courtesies to wonder whether it was prudent or not, and in many instances they were largely curtailed. In some, in my own house, for example, they were cut off entirely. As I have said, our business is in staple goods. They represent large sums, and in some cases two, three, and four months' time was given; and to persons in high credit with us, as long as six months. We had no sale for goods as soon as this question came up. We have curtailed this matter of credits as far as practicable, consistent with our experience and with the former plan of business in our house. I do not know how far that represents the sentiment of my immediate neighbors in the community of Galveston, but my general opinion is that it is the course of action for such a state of circumstances.

Q. Can you give the committee an idea of the aggregate amount of wholesale business done by the city of Galveston?—A. It varies considerably. For example, in 1884 and 1885 business was not nearly as large as in 1882. I think that was the largest year we have ever had. Exclusive of cotton the estimated business in 1882 aggregated \$30,000,000—the entire business.

Q. What was it last year?—A. I cannot answer accurately, but I think not probably more than two-thirds of that.

Q. Have you any cause to assign for that diminution?—A. There has been a general depression in all trade circles all over the United States, and, as far as I know, all over the world. I do not attribute the decline of trade to any special cause except the latter view, but I would say that when the strikes began to be felt here there was a general withdrawal of confidence for the time, and it continued for thirty to sixty days at that time. After we got over the effects of the strike some time ago, we went along smoothly until the difficulty arose between the Mallory line and the Knights of Labor, and from that we went into the trouble with the Missouri Pacific.

Q. Was your business affected, and, if so, to what extent, by the strike of March?—A. Well, as nearly as I can state, it was about this: We move a good many goods from Louisiana into the interior of Texas, sugar especially. We ship some from New Orleans in the way of coffee, and flour and provisions from Kansas and Missouri, both into the interior points and to the city of Galveston. We were moving goods from all these points at the time of the strike on the Missouri Pacific system, and we had delayed from the north and interior States some twenty car-loads of goods, most of them valuable goods—sugars and coffees—representing, say, \$25,000. They remained at the stations at which they were cut off thirty or forty days; we were, of course, out of interest during that time. We were informed here that on the Missouri Pacific there was an insurrection. I do not know that that was the case, but that is what was said. The shipping policy relieves the company from loss in that event, and the fear was that they would not pay us if any goods were destroyed by violence. We, of course, would look to the insurance company, which would be a

troublesome matter. The goods usually are most frequently sold on delivery, and we could not look to the parties until the goods were delivered. Hence these goods were there and in this danger; and, in fact, large quantities of goods were in danger. We had not less than \$25,000 worth of property at different points on the Missouri Pacific system embargoed, without being able in any way to insure them against loss. We also had sold previous to that time 25 car-loads of grain and provisions which were held at our risk either in Kansas, Missouri, or Arkansas, and which could not be shipped from those points probably from fifteen to twenty-five days. Our business, of course, for the latter part of March and April was greatly curtailed by our inability to deliver these goods, also by the disinclination to solicit any further business from interior merchants. There were but a few towns on other lines of road to which we shipped some goods, and that was only a mite of the general body of business that should and presumably would have been done but for these disturbances. What the actual loss was I am not able to compute.

Q. I refer more particularly to the percentage. You have, I suppose, calculated the percentage of loss caused by the effects of the strike?—A. The relative loss was 30 or 40 per cent. I should say 30 rather than 40.

Q. Can you give the committee any further information upon this subject?—A. Well, I do not know that I could interest the committee particularly. I think that the strikes that have been inaugurated by the Knights of Labor are contrary to sound public policy and contrary to public and private morals. I think, as Mr. Powderly has said, one blow brings on another, and that the attitude of the Knights of Labor towards the manufacturers, tradesmen, and merchants generally is one that works greater ill in its immediate or remoter effects than any one imagines, because it shuts down the capital of people who are ready and desirous to embark in extensive enterprises, and causes fear among the people who are engaged, who curtail them, and when they cannot do it they are brought to and stand on the brink of ruin.

Q. Do you find any fault, Mr. Hawley, with the principles of the Knights of Labor as announced by Mr. Powderly and other leading lights in the Knights of Labor?—A. Well, I will have to answer that question in my own way, because I do not know that I have read more than a synopsis of the by-laws and constitution of the Knights of Labor. I am not opposed to the organization of labor. I feel that, of course, the constitution and by-laws of the Knights of Labor cut a very little figure in their work, if we are to judge of the future from the past.

Q. I understand from utterances of Mr. Powderly, Mr. Litchman, and other men who are very prominent in the Knights of Labor organization, that they are opposed to strikes when conducted as this last one has been, namely, by destruction of property, of life, and limb, but favor, when necessary, as a dernier resort, strikes which amount simply to a discontinuance of work. Now, I ask you if you are opposed to that?—A. I understand you ask me if I am opposed to the organization of labor coming out of their employment. I am not, if they are to interfere with no other man living taking their places or performing the work they were doing before they walked out.

Q. I am requested to ask if you have read the preamble to the constitution of the Knights of Labor?—A. I think I have, but I cannot remember it in detail.

JOHN L. PERNET sworn and examined.

By Mr. PARKER:

Question. You live in Galveston?—Answer. Yes, sir.

Q. You were in business during last March?—A. Well, sir, this is my business headquarters, and they have been for the last twelve years.

Q. You may state what your business is?—A. I am agent for the sale of manufactured tobacco, representing manufacturers in Virginia and North Carolina.

Q. Do you distribute from this point?—A. No, sir, I distribute from the factories, and all shipments are made from the factories to various points in the State.

Q. Where are the points to which you distribute?—A. All the principal points in the State and the larger class of cities and towns.

Q. Do you ship also beyond Texas?—A. No, sir.

Q. You ship mainly from Virginia to Texas, the headquarters of your agency being here?—A. Yes, sir. I control the business for the parties I represent throughout the entire State.

Q. But the movement of the trade is inter-State commerce?—A. Purely.

Q. About what amount of business did you do last year?—A. About \$75,000.

Q. What was the prospect for business at the opening of this year?—A. The prospect was better than last year, sir. Last year there was a depression in business throughout the State.

Q. You may state how large it has been during the most prosperous year that you have been in it?—A. Well, sir, the largest business I ever had was \$250,000.

Q. What year was that?—A. 1878-'79.

Q. And your business has ranged from that down to \$75,000?—A. Yes, sir.

Q. And the promise this year you say was good?—A. Yes, sir.

Q. Was your business relatively good up to the time of the strike?—A. Well, it was just beginning when the strike came upon it. We generally commence making contracts for the season from the early spring to, say, the summer, the principal business being done probably in July, some times a little earlier, some times a little later; but it is not altogether transacted in the early spring.

Q. Did the strikes commence before you had made your contracts generally?—A. Yes, sir.

Q. You may describe the effect of the strike upon your business?—A. Well, it practically destroyed it.

Q. During the months of March and April what percentage do you think it reduced your business?—A. It reduced our business I suppose \$7,500.

Q. And what is the effect at this date?—A. Well, it is in the spring trade that we generally get in the contracts, and I may say that the business we ordinarily do in the spring has not come at all.

Q. Now, what was the effect on your making contracts that were to extend beyond the spring months?—A. The destruction of confidence on the part of buyers, resulting in their declining to do business as they did heretofore. Generally they were afraid to make contracts or to make purchases for immediate delivery, or to make investments. Their idea was that the country was in an excited condition. Confidence on the part of buyers was destroyed, and still is not restored up to this time, and will not be for some time to come, and hence the injury to business will be very hard to estimate.

Q. Were you also troubled in delivering the contracts that had previously been ordered?—A. Not materially so.

Q. It struck you before that?—A. In a general way transportation has been slow, attributable to the railroad trouble.

Q. You have been here at Galveston most of the time since this strike commenced?—A. I was at Marshall when the strike began, and have recently made a trip over the State, and also stopped at Dallas and consulted with my customers there, and found them unwilling to make investments. They wanted to do as little business as possible; and finally, after going to several places, I abandoned the trip because business was so poor, and was attributed to this labor strike.

Q. Have you knowledge of any occurrences of the strike at Marshall?—A. No, sir; I do not know that I know of anything.

STEPHEN L. FINLEY sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. I reside at Galveston.

Q. How long have you resided here?—A. Nearly six years.

Q. Engaged in what business?—A. I am an upholsterer on the Santa Fé Railroad.

Q. The committee, under resolution of the House of Representatives, are engaged in investigating the cause and extent of the disturbed condition existing between the railroad corporations and their employes in the States of Missouri, Arkansas, Texas, Kansas, and Illinois. Have you anything to communicate to the committee that would aid them in investigating the cause and extent of these troubles as they existed on the 12th of April last, or about that time, or, say, from the 1st of March to the 12th of April?—A. I know that they contemplated making the strike general throughout the State; but that was overcome by the Knights of Labor that assembled at Fort Worth. In the consultation which took place there of representatives from other sections and our own part of the district it was intended, I believe, to make the strike general all over the State of Texas on all the roads, but the better judgment of the Knights of Labor prevented it being made general. A few from Galveston and from other points of the State discussed the matter fairly and intelligently, and they did not consolidate No. 78 with the rest of the districts; thereby the strike was avoided on our road.

Q. Do you know what the cause of the strike was?—A. Well, I saw the grievances at Fort Worth. One of the grievances was that a man on the Texas and Pacific had been discharged, by the name of Hall. Others were that on the Missouri Pacific they had not been living up to some former agreement; but the precise particulars in regard to the matter, as near as I could understand them, were that some men had been put out of employment and others put in their places. There were four or five grievances that they complained of first; and another feeling was that they were going to strike to help out their brothers on the Texas and Pacific.

Q. You say that the original intention was to make the strike general over the State?—A. Yes, sir.

Q. How did you become possessed of that information, Mr. Finley?—A. I conversed with the other members there.

Q. Are you a member of the order?—A. I am.

Q. And this conversation occurred whilst the matter was under consideration?—A. The matter was being discussed at that time with the consolidated districts.

Q. Have you any official position in the order?—A. I have occupied two.

Q. Did you occupy any on the 1st of March last?—A. Yes, sir.

Q. What position?—A. I was a member of district No. 78.

Q. What did Mr. Irons say to you with reference to the existence of causes which should lead to the strike?—A. These grievances that I referred to.

Q. About what was the conversation?—A. About the strike in March.

Q. And Where?—A. At Fort Worth.

Q. You opposed the strike throughout the State?—A. I have always been opposed to strikes and boycotts.

Q. Did you oppose the strike on the Missouri Pacific?—A. I oppose a strike on any system.

Q. Have you been expelled from the Knights of Labor?—A. I have read that the committee was issuing a publication in Houston, but I have never been informed of that fact.

Q. You received no notice of being expelled?—A. No, sir.

Q. (By Mr. PARKER.) Do you say that there was an intention of the order to strike at some time or before some particular date?—A. About the time that the strike occurred, and it was anticipated to make the strike general throughout the State.

Q. Had it not been intended, as indicated by the general talk of the times, that there would be a large strike on or before the 1st of May, or about that time?—A. No, sir, except some talk in regard to the eight-hour system. That question has been discussed all over the United States.

Q. Was it not understood that a great strike was anticipated to take place before or about May, and that it was unavoidably anticipated—I mean by the members of the Knights of Labor?—A. No, sir; not to my knowledge.

Q. Did they not anticipate that there was a strike expected on account of the eight-hour disturbance?—A. It was understood to be discussed, but not to have a strike in regard to the eight hours.

Q. And with that strike was involved incidentally these other matters, and that the strike was precipitated by the discharge of Hall?—A. No, sir; I never heard that question discussed.

Q. Do you understand that the fund out of which the wages of railroad men are paid is largely made up by the freighters of the country in payment of freight?—A. I should include passengers.

Q. Is not the wage fund made up largely out of freights?—A. I presume it is, sir.

Q. Then the effect of a strike or walk-out is to stop the wage fund, is it not?—A. Certainly.

Q. A strike without notice throws into confusion all the business of freighters, does it not?—A. Yes, sir.

Q. There is there either propriety or justice in inaugurating a strike which throws into confusion the business of the men who make the wage fund that pays the strikers' wages?—A. If I understand your question, it is that the moneys received, as applied at the present time? It would be injurious.

Q. Is there either propriety or justice in a strike or walk-out which throws the business of these men who make the wage fund into confusion?—A. Certainly not.

Q. Can any one be injured, so far as your judgment goes, by a walk-out except the persons who walk out and those whose business is retarded?—A. I should say that it affected not only those who walked out and the railroad employes, but all branches of business.

Q. And is that effect always injurious, so far as you know?—A. Always, so far as I know.

Q. And you advised against strikes in all instances that you have known?—A. Only as a last resort.

Q. You treat it as a last resort?—A. Well, I should exhaust arbitration. Now, to illustrate, if you will allow me: A year ago this month we men on the Santa Fé thought we ought to have more pay, and we just formed ourselves into a committee and arbitrated the question with our employers. It took us four weeks to settle the question, but it was settled satisfactorily to the men and to our employers. Everything moved along peacefully and satisfactorily to both until in August, when a strike was inaugurated on the road. At that settlement of the matter in April we thought that we would give our company thirty days' notice whenever we asked for an increase of pay, and they agreed to give us thirty days' notice when pay was to be reduced. In August we did not give them thirty days' notice. That, of course, you see, violated our agreement with the company. But matters were settled after five and a half days, and the same agreement, or nearly, was made again—to give thirty days' notice each way. In November we were ordered out again without thirty seconds' notice. We agreed to give thirty days' notice and were ordered out in thirty seconds, thus

violating part of this agreement. I supposed the committee was going to investigate the other matter here.

Q. What was that?—A. That is the stoppage of business in consequence of our boycott.

Q. You refer to the steamships?—A. And the merchants.

Mr. PARKER. That we have no connection with.

The WITNESS. I will not go any further into that, sir.

Q. Do you not think that there should be some arrangement so that no strike should be ordered until the patrons of the road should have notice, and have an opportunity to take care of time freight and perishable freight and adjust their business to a possible strike?—A. I think, sir, that if some law was enacted by which the constitution of the Knights of Labor was carried out properly and constitutionally, it would be all that was necessary. It is one of the grandest organizations on earth if carried out according to the constitution.

Q. This strike, in your judgment, was in violation of the principles of that constitution?—A. I think so, sir.

Q. Do you regard a strike in the nature of an act of war between the parties or a declaration of war?—A. No, sir; not as I understand war.

Q. You are aware that this strike involved violence?—A. Not on the part of Knights of Labor. I think I could say that with all safety. I think I know that.

Q. (By Mr. BUCHANAN.) What is Mr. Irons—the Mr. Irons you spoke of?—A. Mr. Irons, if I recollect right—well, now I am not prepared to say, but Mr. Irons is, I know he was, a very prominent man in the Knights of Labor.

Q. What is Irons' first name?—A. Martin.

Q. Do you know where he lives?—A. I think he lives at Marshall, or did live there.

Q. If, in fact, you have been expelled the Knights of Labor, do you know of any reason for expulsion from the Knights of Labor?—A. None whatever. I have never violated a regulation of the order at all.

PETER W. FARRELL sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Galveston, Tex., sir.

Q. How long have you resided here?—A. Five years.

Q. What is your occupation?—A. I am a carpenter.

Q. Employed by whom?—A. The Santa Fé Railroad Company.

Q. This is an investigation into the cause and extent of the disturbed condition between railroad companies engaged in carrying on commerce in the States of Missouri, Arkansas, Illinois, Texas, and Kansas. What have you to communicate to the committee pertinent to that subject as it affects Galveston, either as to the cause or extent of these disturbances between these railroad corporations and their employees?—A. I believe it to have thrown a great many men out of employment in the city of Galveston that would to-day have been working.

Q. How do you account for that, and why has it had that effect?—A. Why, sir, the order emanating from the executive board of District No. 78.

Q. What do you know as to the cause of this disturbed condition?—A. The executive board of District 78 more than anything else.

Q. You speak of District board 78; what is its jurisdiction territorially?—A. It embraces, I believe, Galveston, Harrisburg, Glenham, Temple, Houston, and Fort Worth assemblies to-day. That I think forms the district.

Q. Is Fort Worth within its jurisdiction?—A. Yes, sir; I believe it is. I believe there is an assembly in Fort Worth belonging to 78, but I am not positive as to that.

Q. Did District Assembly 78 have anything to do with the strike on the southwestern system or the Gould system, so called?—A. Well, I do not know it to my own knowledge. I know it in an indirect way. I have been told, in fact I read the order emanating from one of the executive board to a party of the order, one of the committee, in regard to it.

Q. What connection had District 78 with that order—was it issued by 78?—A. Yes, sir; it was issued by District 78.

Q. Have you communicated with those who were strikers on this system, and talked with them about their grievances?—A. Yes, sir; I have mingled a great deal with them.

Q. What has been the statement of their cause for leaving the employment of the company?—A. Well, as I stated to you, it was through an order from the executive board. I do not know if they were brought here before this committee that they could tell why they were ordered out.

Q. My question is, what reason was assigned in conversation with you?—A. Simply obeying the mandate.

Q. Is there anything else that you have to state that would aid us in the investigation of this question? If so, state it.—A. I do not know that I have. If this trouble

was settled I am confident that a great many men now out of employment would find employment. I understand that a great many buildings in this city would have been built, that would have given a great many men employment, but for this strike.

Q. What do you mean by that?—A. The first strike, or the Mallory line boycott.

Q. That is excluded by the terms of our resolution, and you will confine your replies as to the simple effect of the strike upon the Gould system.—A. Well, I do not know of anything.

Q. (By Mr. PARKER.) You spoke of some order ordering men out that you had seen?—A. Yes, sir.

Q. Given by Assembly No. 78?—A. Yes, sir.

Q. Was it in print?—A. No, sir; it was in writing.

Q. You may repeat it.—A. Well, as far as I can remember—my obligation would not permit me giving the name of the party signing it.

Q. Omitting the name?—A. And give the party?

Q. Give the rest of it excepting the name.—A. "You are hereby ordered to cease working," I believe, "during the pending trouble. By order" of so and so.

Q. By order of the executive board?—A. By order of the executive board.

Q. Was it dated?—A. I believe so; I cannot say as to the date. I believe it was some time in March.

Q. In the early part of March?—A. It was in the latter part of March that I saw it.

Q. And dated from District Assembly 78?—A. Yes, sir.

Q. Have you seen similar orders?—A. That is the only one I have seen.

Q. Have you seen them given by other assemblies?—A. I have not.

Q. (By Mr. BUCHANAN.) To whom was that mandate directed?—A. I do not know that I can give the name.

Q. Omitting the name, give the employment.—A. He is a freight clerk on the Texas and Pacific Railroad.

Q. Did this order apply either in terms or in substance to employes outside of Fort Worth?—A. Well, I know it applied to District No. 78; that includes this district.

Q. Do you know whether the employment was at Fort Worth or some other point?—A. It was at Fort Worth.

Q. You say your obligation will not permit you to give the name?—A. No, sir; it will not.

Q. Are you a member of the Knights of Labor?—A. I am, of No. 3686, Sante Fé Assembly, Knights of Labor, located here at Galveston.

Q. Have you been expelled from that order?—A. Not that I know of. I read an account in the "Labor Record," I believe, in which it spoke of me in that way.

Q. Have you received any notice of being expelled?—A. I never have, sir.

Q. Do you know of any reasons leading to your expulsion?—A. I know of nothing except the element controlling it here.

Q. Have you been outspoken in your denunciation of strikes?—A. I have. I claim to be a conservative member of the Knights of Labor, and I believe in having an opinion of my own.

WILLIAM J. BURK sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. I reside at Galveston.

Q. And have resided here how long?—A. Since 1866.

Q. What business are you engaged in here?—A. I am editor and proprietor of the "Labor Advocate" and the "Opera Glass," and treasurer of Galveston County.

Q. The committee are investigating the cause and extent of the disturbed condition existing in certain States between the railroad companies and their employes, among others the State of Texas. What information have you to impart to the committee that will aid them in such investigation?—A. Well, I know that the strike on the Gould system has had a depressing effect, not only upon the interests of the country, but throwing clerks and railroad employes out of work, without any benefit therefrom to the employes who were at work.

Q. What do you know, if anything, as to the cause of the strike?—A. I only know what it is as I have read the correspondence of Jay Gould and Mr. Powderly.

Q. Any knowledge besides that which you might have gathered from the public prints?—A. No, sir.

Q. What do you know of the extent of the disturbance to business caused by the strike on the Gould system other than you have already stated?—A. Nothing.

Q. You are editor of a paper which I judge by the name to be a paper advocating the interests of labor. In this organization of labor you have been a writer upon labor subjects for what length of time?—A. About nine months.

Q. Have you given any thought to the problems connected with the question of the relations of labor and capital in this country?—A. I have given all the thought that I had the ability to give.

Q. Do you regard these relations as they exist at present as satisfactory?—A. I do not think they are entirely.

Q. What in your judgment is the primary cause, or causes, of the unsatisfactory relations of labor and capital?—A. Well, in the South there is a difference in the difficulties of labor. The same influences that exist here do not exist in the North. There is not the surplus labor in the North that there is in the South, and the cause of dissatisfaction among the men in the South is occasioned by the absence of employment for that labor throughout the spring and summer months. Labor here depends entirely upon the receipts of cotton and the handling of that cotton, and until manufactories are started in the State the same condition will continue to exist because of the continued increase of the surplus of labor.

Q. Had you manufactories of cotton would it give more permanent employ to your surplus labor and lead to a partial solution of the trouble?—A. I think the introduction of manufactories would give part of a solution of the question, and not only that, but wages might be better arranged, and it would be more satisfactory to the employé.

Q. Confining ourselves, now, more particularly to the immediate subject we are sent to investigate, the testimony thus far obtained by the committee tends undoubtedly to show that the relations between railroad corporations and their employés are not at all times satisfactory. What cause, in your judgment, exists for that unsatisfactory condition of things?—A. I think in the majority of cases it is caused by the men having control of the employés not having sufficient interest in the employés to talk with them in reference to the matter and in getting them to state in an outspoken manner any demand of what they think they ought to have.

Q. You think that greater frankness on both sides would lead to a satisfactory solution of difficulties which, not being solved, grow into grievances?—A. That is my idea exactly.

Q. What further causes, in your judgment, exist?—A. Well, I think that one cause of the trouble is the element that belongs to labor organizations, who for purposes of their own produce a good deal of useless agitation without accomplishing any good.

Q. Have you devoted any thought as to the effect upon the price that can be paid to labor and the price that must be paid for freight by the overcapitalization of railroads that conduct the carrying business of the country?—A. If the railroads are overcapitalized they will have to reduce the wages to nothing, for it will take all the money earned to pay interest on the increased capitalization.

Q. You do not mean to state it as broadly as that, do you?—A. Perhaps I did not fully understand your question.

Q. Suppose a road that could be constructed for \$15,000 a mile is capitalized in bonds and stocks to say, \$40,000 a mile; is it necessary, in order to earn the fixed charges—that is to say, the interest upon the bonds and the interest-bearing debts of the road, to cut down the price of labor to the lowest possible living point?—A. It is necessary for them to do that to meet the interest upon their indebtedness.

Q. Have you made any investigation as to whether the roads in the State of Texas are overcapitalized; or have you any information on that subject?—A. I am only acquainted with one road in the State—that is the Santa Fé, and I do not think it is old enough to be overcapitalized.

Q. Because the road is not old enough?—A. The gentlemen now connected with it have not been in the railroad business long enough to understand it thoroughly.

Q. Have you had your attention attracted to the provision of any suitable remedy by legislation for the unsatisfactory relations existing between railroad corporations and their employés, such remedy looking rather to the removal of the cause than to the curing of the effects?—A. Yes, sir. I do not think that legislation is necessary. I believe that thorough organization and arbitration would insure the desired result.

Q. But supposing one or the other party to the dispute decline to enter into arbitration?—A. If organization is thorough there can be no declining. What I mean by thorough organization is such an organization as will control a class of labor that cannot be supplied outside of the organization.

Q. And when that class is thoroughly organized the men in it shall request arbitration with the other side?—A. I mean this: That the employer would recognize a trade organization and meet them half way and be willing to arbitrate.

Q. But suppose that he does not meet them?—A. Just about then it would be the proper time to discuss another remedy, because I am not now capable of telling what the remedy would be.

Q. (By Mr. PARKER.) Is there not a considerable surplus of labor in the South?—A. Yes, sir.

Q. It has been sworn in the testimony as to these strikes that where men were not interfered with by the strikers there was little difficulty in supplying the places of those who struck?—A. That has been my experience also.

Q. Have you considered the question of the encouragement of the immigration of

foreign labor at a time when we have surplus labor north and south?—A. I have given the matter a little thought.

Q. What is your conclusion as to the desirability of encouraging immigration of foreign labor without reference to contract labor or that which is called pauper labor?—A. I think it is wrong to permit the labor of every country to come, but I know of no way to stop it.

Q. Suppose you tax them so much per head?—A. Then the next thing would be the employer would pay the tax.

Q. But the limit can be raised, I suppose, so as to prevent that?—A. Well, I doubt much whether the law would pass. It sounds un-American.

Q. By un-American you mean that the theory of America has been to invite everybody from everywhere to come and take whatever they could get without protecting ourselves, while you are aware, doubtless, that other nations are thereby enabled to send their surplus labor here?—A. I am aware of that.

Q. Now, do you think it would be improper for this country to protect itself from an overstock of labor from other countries?—A. I do not think it would be improper, but I do not see how the Government can make a distinction between labor and the capitalist.

Q. Then in your judgment it is the overcapitalization of railroads, largely over the actual cost of the property, that changes the wages upon these railroads?—A. No, sir; I cannot say that it is.

Q. In the first place, the laborer must have enough to live upon?—A. He must have enough to live upon.

Q. And beyond that is it not a question determined more largely by the supply and demand?—A. Yes, sir.

Q. Then this matter of capitalization, or what we call watered stock, is done more for the purpose of dealing with it than for the purpose of cheating the wage laborer.—A. I think it is done more to cheat the public than the wage laborer. I mean more to cheat capitalists; one capitalist trying to get the best of another.

Q. When were you elected to the office you hold as treasurer?—A. In 1882.

Q. Does your observation lead you to believe that the Knights of Labor, or any considerable portion of them, contemplate political action and effects in their organization or efforts?—A. No, sir; only as individual members.

Q. In that respect are they entirely free to do as they see fit, or is there a tacit obligation to stand by one another?—A. I think there is something of that character.

Q. Is there not at least a spirit of brotherhood that would induce co-operation as to politics and political secrecy?—A. No, sir; my experience has been, and I have taken that position, that a man who enters the Knights of Labor to increase his popularity makes a very great mistake.

Q. Suppose the majority of the Knights of Labor in a lodge should side with a man of their own order, and one man outside of their own order were contesting—one man representing their ideas better than another—would there be any effort of the assembly as such to carry their political judgment into effect?—A. No, sir.

Q. (By Mr. BUCHANAN.) Is a railroad corporation, the resources of which are taxed to the utmost to pay interest upon a large issue of bonds, as well prepared to pay good wages for honest work as one whose resources are not thus taxed?—A. No, sir; it is not.

Q. You say that there is surplus labor in the southwest. Is it not true that in the southwest, and especially in the State of Texas, there are large tracts of good but uncultivated soil?—A. It is true.

Q. Then there is abundant room for every laborer in the State of Texas to have employment provided the employment were shaped out for him, is there not?—A. Yes, sir.

Q. And if there be a surplus of labor there must be something wrong in the conditions that should afford the employment?—A. Yes, sir.

Q. The State is not overpopulated?—A. No, sir.

Q. (By Mr. PARKER.) Is not interest upon railroad bonds frequently placed at a very low rate and often passed, at that, without payment?—A. It is placed at a low rate and frequently not paid.

Q. But a railroad that passes its payment of interest and pays no dividend on its stock, does it not necessarily, to obtain labor, pay just about the same rate for the labor that solvent railroads do, that pay interest upon their bonds and dividends upon their stock?—A. They pay about the same wages.

Q. (By Mr. BUCHANAN.) Do you know the rate paid by the Texas and Pacific prior to the appointment of receivers?—A. No, sir.

Q. Do you know the rate paid by the Santa Fé Railroad about that time?—A. No, sir.

Q. (By the CHAIRMAN.) You say that there is a surplus of labor population in the southwest?—A. Yes, sir; in the State of Texas.

Q. Please state whether you are a Knight of Labor?—A. I am.

Q. I understand you to come voluntarily to testify. What do you understand by a strike, as a Knight of Labor?—A. Well, I understand, as a Knight of Labor, that a strike is something to be avoided, just as a burnt child would avoid the fire.

Q. I asked you to define a strike.—A. A strike, according to the principles of the Knights of Labor, is where the men—Knights of Labor—employed quit work and refuse to work. A strike, according to the practice of Knights of Labor, is not only to quit work, but to use force, if necessary, to prevent other men working.

Q. A strike, you say, according to the principles of the Knights of Labor, amounts to this, that men shall merely quit work, and not interfere with the personal rights of men to take their places; and I suppose you understand it not to include the destruction of property?—A. Yes, sir. I did not think it necessary to add that, for I do not think any citizen should be permitted to do that.

Q. Do you favor, and do the Knights of Labor favor, or the principles of the Knights of Labor favor, taking the property of employers into possession or retaining it—not injuring it or exercising acts of violence upon it—but merely taking it in possession and guarding it, as it were?—A. No, sir. I do not approve anything of the kind; it is contrary to the principles of the order.

Q. What would a strike amount to, practically, unless property were taken possession of, and unless new men were prevented from taking the places of the strikers, as there is a surplus population?—A. If the principles of the Knights of Labor were carried out—

Q. What would a strike amount to if conducted according to the principles of the Knights of Labor, which you say provide that a strike shall be conducted simply by the men walking out quietly and quitting work?—A. I have never seen one conducted that way, so I cannot say. I have never heard of one, in my experience, being conducted that way.

Q. I will bring you back to your own statement. You say there is a surplus of labor population in the Southwest; that a strike conducted according to the principles of the Knights of Labor amounts to a simple walking out of the men, without interference, direct or indirect, with the property of the corporations or the rights of others to take their places. Now, there being a surplus of labor, if the men walk out and their places are immediately filled, what practically does such a strike amount to? Can you have a strike without taking possession of the property and preventing other men from working?—A. I might answer it would not amount to anything, but I have never seen a strike conducted according to the principles of the order. Another proposition that you make is that of the surplus labor coming in to take the places of the strikers. I do not know whether they are surplus labor; we cannot assume that they were. Some of the men who struck went back again.

Q. Then, in your opinion, unless a strike is conducted as this strike has been it amounts to nothing; and, therefore, a strike conducted according to the principles of the Knights of Labor would amount to nothing?—A. A strike according to the principle of the Knights of Labor, if the principles of the order had first been carried out, would be successful without violence.

Q. In what way?—A. By thorough organization.

Q. But the men quit work and other men were ready to take their places?—A. If the men are thoroughly organized they cannot get men to take their places, because all of them will be Knights of Labor.

Q. You contemplate, then, to draw all the labor of the country into the organization?—A. We do contemplate that.

Q. In that way the obligation of the order would prevent the surplus population from taking the places of those who go out, would it?—A. No, I do not mean that.

Q. What effect would be produced by bringing on a strike unless you mean that?—A. I think it would make them better men. In reference to taking the places of those who struck, they would be educated to such a point that they would not do it.

Q. Do you mean that men would refuse to be employed?—A. Yes, sir.

Q. Notwithstanding the fact that they were out of employment; do you not think that would be rather a dangerous education?—A. I have seen men do worse than that. I think if a man believes he is doing right, he can do so. We claim this: that if the Knights of Labor are thoroughly organized they never will have a strike, unless it is based upon principle applicable to the case, and then that they would have no difficulty in succeeding, as public sentiment would be with them.

Q. Do you mean that public sentiment would sustain a strike based upon that principle?—A. Yes, sir, I think it would when based upon principle.

Q. I heard Mr. Powderly say in his testimony in Washington that he was opposed to strikes entirely; I also heard him say that there had never been any legislation upon boycotting except to condemn it. Do the Knights of Labor as an organization use the boycott?—A. They do.

Q. Have they used it?—A. They have.

Q. How is it used when Mr. Powderly says that there has been no legislation upon

it except to condemn it?—A. The Knights of Labor are not very thoroughly drilled in complying with the laws of the order or the demands of Mr. Powderly.

Q. Can you name some of the localities where they have not been complied with?—A. I might take Galveston.

Q. Do you say, as a Knight of Labor, that the boycott, if there has been a boycott here—and of course I cannot assume it—has been in violation of the principles of the Knights of Labor?—A. I do; yes, sir.

Q. Then you do not think that the Knights of Labor as an organization are responsible for the acts of the local assembly here?—A. I do not.

Q. If there be a surplus of labor, and the surplus laborers are qualified to take the places of the men who walk out of the shops or refuse to work for railroad corporations, and the surplus laborers do take the places of the strikers and the business of the shops goes on the same as ever, and the movements of trains are carried on as they were prior to the strike, is it not a fact that the only ones who are really injured by the strike are the strikers themselves?—A. That is the fact.

Q. Do they not lose their employment, are they not compelled to dispose of their homesteads, obliged to go elsewhere to look for work, and instead of being benefited, do they not injure themselves?—A. That is correct, sir.

Q. Now, take the other view of it. If instead of walking out quietly and allowing the surplus laborers to take their positions, they possess themselves of the property of the railroad company, kill engines and displace switches, and do other acts of violence that are unlawful, and, at the same time, prevent by intimidation, other persons from taking their places, who is benefited by their conduct?—A. The sheriff, I think, would be the only party that would be benefited.

Q. (By Mr. PARKER.) Do not you think that there is need to limit the powers of local assemblies?—A. I do.

Q. Do you not think that there is need of adding to the supervisory powers in the General National Assembly?—A. Yes, sir.

JOHN DWYER sworn and examined.

By the CHAIRMAN :

Question. You are the local secretary of an assembly of the Knights of Labor, I believe?—Answer. No, sir, I am secretary of the local executive board.

Q. You have been present during this investigation, and if you have any testimony or any facts that would be of interest to the general public we will be glad to hear you.—A. Mr. Chairman and gentlemen of this committee, I am at a disadvantage, inasmuch as I am not prepared to furnish you with any statistics that it would be necessary for you to have. I am not here deputized by the order to speak upon these great issues, but I am here to vindicate the order as far as some testimony, which I consider to be incorrect, that you have taken here in this matter, and to contradict some of the statements which have been made. There is one particular portion of it which has been testified to here by Mr. Farrell, who states under oath that District Assembly 78 never had any intention of having anything to do with the southwestern strike. I am responsible for all communications which were addressed to our district master workman, and I speak advisedly that no communication has ever been received by us to participate in the strike in the Gould southwestern system.

Q. Are you not embraced in the territory of the district over which Martin Irons presides; that is, the territory including this system known as the Missouri Pacific and its leased and operated lines?—A. No, sir.

Q. District Assembly No. 101, or the Martin Irons assembly, only embraces railroad Knights, does it?—A. It does.

Q. Whereas District Assembly 78 is called a mixed assembly, embracing all classes of labor?—A. Yes, sir; our district embraces all classes of labor, and farmers.

Q. I understand that Assembly 101 embraces simply railroad labor?—A. I do not know that of my own personal knowledge; I do not know if there are any assemblies in District 101 of a mixed character. I do not know if it is a mixed assembly, nor do I know of my own knowledge even as to District 78.

Q. Has Martin Irons any jurisdiction over District Assembly 78?—A. None whatever.

Q. Then if he ordered a strike by order of the executive board the members of District Assembly 78 would not be compelled to obey that order, would they?—A. I would state that we as District 78 are separate as far as the strike is concerned, but interested in its success.

Q. If Martin Irons ordered members of District No. 78, who are not members of District 101, to strike, would they be compelled by the rules of the order to obey his instructions?—A. Not necessarily so.

Q. Then if they struck it would be on account of what they might regard as a moral obligation to support 101, and not because of any rule of the order?—A. There is no rule bearing on that. Our master workman is on the executive, and in such cases as that they have discretionary powers.

Q. Is the executive board authorized to order a strike unless a vote is taken in the local assemblies in the entire system over which the executive board has jurisdiction?—A. I do not know about about District Assembly 101.

Q. Did District Assembly 78 order a strike?—A. It was ordered.

Q. In the southwestern system?—A. No, sir; I do not understand that it was ordered on that system.

Q. We are controlled in our examination by the resolution appointing this committee, which confines us to an investigation of the strike on the southwestern system. Have you anything further you want to say regarding the strike on that system?—A. Nothing, only I would like to refer to the remark of the gentlemen who have made these statements.

Q. If your understanding of the facts is different from any other witness you can make a statement, but not in the way of impeaching the character of any person?—A. I do not attempt to do that.

Q. (By Mr. BUCHANAN.) How long have you been secretary of District Assembly 78?—A. I have been secretary of the executive board now about five months.

Q. Did District Assembly 78 request any one not to work for the Texas and Pacific?—A. I do not know. There was a notice at the freight house not to handle goods in the Mallory line boycott. There was nothing else, sir.

Q. Did District Assembly 78 ever request any one working for the Texas and Pacific at Fort Worth to quit working for the Texas and Pacific?—A. Not that I know of; I think I would have known it if such was the case.

Q. You state that you think you would have known it; what reason would you have for knowing it?—A. For its being part of my duty.

Q. You never issued such a request?—A. No, sir.

Q. You are certain of that?—A. I am, sir.

Q. Would it be necessarily your duty; could not anybody on the executive board issue that order?—A. All orders of that nature come from the district master workman, with the consent of the executive board.

Q. Have you that power, or did you say that they had the power?—A. I say that I have not that power.

Q. Do you know whether the master workman there issued such an order or not?—A. He never did, most emphatically.

Q. How do you know?—A. Because I would have been apprised of it.

Q. Is that the only reason you have for saying so emphatically that he did not issue that order?—A. That is, officially.

Q. If he had issued such an order and neglected to apprise you of it, would he have been acting in the line of his duty?—A. No, sir; I do not think he would.

Q. It is required as part of his duty to appraise you of all such orders?—A. It should be, so as to have the proper official action.

Q. And his official action is attested by you as secretary?—A. Necessarily so.

Q. I am trying to find out what means you have of knowing whether the master workman of District Assembly No. 78 did or did not issue an order to any one at Fort Worth requesting him not to work for that company?—A. I have been to Fort Worth and Dallas recently, and if such an order had been made I would have known of it.

PETER W. FARRELL recalled and examined.

The CHAIRMAN. The witness, Mr. Buchanan, desires to be recalled to make some statement.

The WITNESS. In regard to the assumption of Mr. Dwyer that the district master workman in case that he would order out anybody would notify Mr. Dwyer, I want to make a statement. I do not think he would. I do not think it was necessary for him to notify Mr. Dwyer as secretary. I know it was issued to John Lehahn, chief clerk of the Texas and Pacific, signed W. E. Farmer, and John Lehahn was ordered out. I can get the letter any time it is called for. It was from district master workman of Assembly 78. It was also published, over signatures, in Fort Worth, in March; I think signed G. W. W. Smith and, I think, Mr. Hayes. They were acting then with District Assemblies 101, 17, and 93.

Q. (By Mr. BUCHANAN.) Who is G. W. W. Smith?—A. He is a member of the executive board of District Assembly 78.

Q. Do you know of any other order issued?—A. No, sir; Mr. Farmer claimed to me and two others that were with me that he never had anything to do with allying 78 with 101, and 93, and 17, and I was surprised on being informed of this order for John Lehahn to quit his work, signed by Farmer.

Q. Was it done throughout the district or confined to Fort Worth?—A. It was confined to Fort Worth.

Q. Were you not requested when you were on the stand before to give the name of the individual to whom the order was sent, and did you not refuse to give it on the ground of your obligation?—A. Yes, sir. I can state that I have been published, I

believe through this very gentleman, Dwyer, as having been expelled in an order signed, I think, by him, in a Dallas paper, stating that fact, and I think that their action in showing me up relieves me of my obligation; but I do not know that two wrongs make a right.

Mr. BUCHANAN. Mr. Chairman, I would suggest that this line of investigation is not pursuing that which we are here to do. In justice to the witness I should state that at that time his veracity had not been impeached. Now it is impeached by Mr. Dwyer, and he furnishes the name, and leaves it with the committee to ascertain which is correct in their statement.

STEPHEN L. FINLEY then requested to be heard.

Mr. FINLEY. I just want to state that I read the letter that brother Farrell has referred to, received by John Lehahn, making the witness that you require in regard to that matter.

The CHAIRMAN. I would like to know [addressing Mr. Dwyer] whether the reason that you have no witnesses here is because you had not sufficient notice. I understand you to say that you had no notice, although I telegraphed here that both sides should be heard.

Mr. DWYER. I never saw such notice; it escaped my observation.

The CHAIRMAN. Last night we determined to come down here. A short time before we started I went to the telegraph office and sent a dispatch to the Galveston News, in which I stated that the committee would come here and would make this investigation, and that I was determined that both sides should have a hearing; and the telegram was published in the Galveston News. I want to say to you that we will give you a reasonable time to bring here any witnesses that you propose to have examined.

Mr. DWYER. Well, according to the terms of the resolution under which you are acting, I cannot see that we could introduce any witnesses here.

Mr. BUCHANAN. We cannot go into the investigation of the Mallory boycott and the other strike.

The CHAIRMAN (again addressing Mr. Dwyer). Then you do not put your failure to have witnesses here on the ground that you did not have sufficient notice?

Mr. DWYER. We relieve any person in this committee in this matter. We are satisfied.

The CHAIRMAN. I will say, if you have any witnesses we will hear them at 10 o'clock.

Mr. DWYER. I do not see that we can introduce any witnesses.

The committee then adjourned, to meet at Marshall on Monday, the 10th, subject to the call of the chairman.

MARSHALL, TEX., *Monday, May 10, 1886.*

The subcommittee, of which Hon. W. H. Crain is chairman, met in a public hall rented for the purpose, at Marshall, this day, and proceeded to take testimony.

DAVID E. GROVE sworn and examined.

By the CHAIRMAN:

Question. What position do you occupy on the Texas and Pacific Road?—Answer. I am general road-master and have been since the 10th of March of this year.

Q. What effect did the strike have on the force under you?—A. About 50 per cent. of them quit work.

Q. When was it that the strike originated?—A. It was on the 1st of March, but I had not charge then. I know that from outside information.

Q. How long before you got your full complement of men again?—A. About fifteen days after. Looking over the rolls, I perceive that it was fifteen days after, and after I took charge. They did not all go out on the 1st of March. It was probably the 8th, 10th, or 12th before all the men did go out.

Q. Did you find any section bosses who would not fill their gangs?—A. Yes, sir.

Q. Were they Knights of Labor or not?—A. As far as I know they were Knights of Labor who refused to fill their gangs. I know that from personal knowledge, from some of them telling me and their division road-masters.

Q. Were these men discharged?—A. They were notified that if within a reasonable time they did not secure gangs of men they would be discharged.

Q. Did they secure them?—A. Some of them did.

Q. Did those who failed to do so lose their positions on account of their failure?—A. Yes, sir.

Q. Did you place other men in their positions?—A. Yes, sir.

Q. Were some of those Knights of Labor?—A. Some of them were.

Q. Did they fill their gangs?—A. Yes, sir.

Q. How was it that Knights of Labor seemed to be involved?—A. Simply, I wanted men on the track, and I did not ask a man whether he was a Knight of Labor. The only question was whether they were ready to go to work.

Q. Did they express their willingness to go to work?—A. They expressed it in acts.

Q. Did they seek employment?—A. Yes, sir.

Q. Do you know of any case where sectionmen have been required to buy at a particular store when they had cash?—A. I do not.

Q. Was there any preference of the company in the purchase of supplies?—A. I cannot speak for the company; I can only speak for myself. Preference will be given to men who will buy their own supplies and pay for them themselves.

Q. Were they permitted in such cases to buy where they pleased?—A. Yes, sir.

Q. Where they failed to have cash to buy their supplies did the company become responsible for them when they made purchases?—A. Yes, sir.

Q. In such cases did the company restrict them to a certain house?—A. At a house on each division. There was a house on each division that they were to trade with.

Q. Are sectionmen required to board with the section boss?—A. There is no such requirement.

Q. Is it a practice of the company to ship supplies for the use of section hands at half rates, no matter to whom they were shipped, or from whom they were purchased?—A. Any man who is working for the company has the right to half rates for his supplies—that is, in my department—no matter from whom purchased.

WILLIAM C. PIERCE sworn and examined.

By the CHAIRMAN:

Question. Examine that paper and see if it is a correct copy of your testimony before the commissioner to investigate the cause of this strike under order of the court.

—Answer. Yes, sir; that is my testimony before Colonel Henry.

Q. How long have you lived in Marshall?—A. About thirty years; thirty-two or thirty-three years it has been.

Q. What business are you engaged in?—A. None at present.

Q. Were you connected with business about the 1st of March?—A. No, sir.

Q. Was there a committee of citizens appointed at that time to inquire into the strike on the Texas and Pacific?—A. Yes, sir; and I was a member of that committee.

Q. Did you make any investigation?—A. Yes, sir.

Q. Whom did you examine?—A. Well, we had a conference with the executive board of Knights of Labor, composed of several gentlemen. They gave us their grievances, and that was about the only examination we made.

Q. What grievances did they present?—A. Well, sir, they presented the discharge of Mr. Hall and the discharge of Mr. Bassett, and wanted to increase the pay of some bridge men, several miles out from town. These were the only grievances they submitted, as I recollect.

Q. Did these comprise all the grievances submitted to you?—A. Yes, sir; we asked them for the grievances, and they submitted them.

Q. Who composed the committee?—A. Mr. Martin Irons, Mr. Thomas Burnett, Mr. Cooper and Mr. Mahaney. Mr. Moore acted with them, but it was said he did not belong to the committee.

Q. Were these gentlemen employes of the company?—A. One of them was.

Q. Which one?—A. Mr. Burnett.

Q. Who appeared to be the spokesman of the committee?—A. Mr. Irons.

Q. What did he say to you about the strike?—A. Well, he said that they had these grievances and they wanted to get them settled and they couldn't settle them.

Q. Did he say that they had telegraphed repeatedly to the officials and that they had paid no attention to them and that he had no alternative but to call on the citizens?—A. Yes, sir; something of that kind.

Q. Did you communicate with Governor Brown in regard to the fact?—A. Yes, sir; several times.

Q. Did you send a telegram to Governor Brown, dated March 4, and addressed to him at Dallas, to this effect: "The men will agree to go to work to-morrow if you will agree to confer with the men aggrieved on this committee. Will you grant this conference? If so, when and where?"—A. Yes, sir; I sent that message.

Q. What reply did you receive?—A. We received a reply that the men could go to work next morning.

Q. At the same pay that they were receiving and that he would hear any grievances of any men that had arisen since the appointment of a receiver?—A. Yes, sir; that was about the substance of it.

Q. Did they refuse to go to work?—A. Yes, sir.

Q. Did they have any other conference?—A. No, sir.

Q. State any act of violence or intimidation committed by the former employes during the strike calculated to intimidate the new employes, if you know of any?—
A. I do not know any of my own knowledge.

By Mr. BUCHANAN:

Q. Then, as I understand you, Governor Brown agreed to meet the men and listen to any grievances they had?—A. Yes, sir.

Q. And the men did not return to work?—A. No, sir; they did not.

Q. And remained out how long?—A. They remained out until the strike was declared off.

Q. Were these grievances presented to your committee in writing?—A. No, sir. We made a memorandum of it.

Q. Where is that writing?—A. I do not know.

Q. Have you a pretty accurate recollection of what was contained in that writing?—A. No, sir; not fully. There was a good deal of testimony on the discharge matter.

Q. Were the three grievances of which you have spoken the only grievances mentioned in that writing?—A. That is all.

Q. Was Irone employed here?—A. No, sir.

Q. Did you understand where he came from?—A. I understood he came from Sedalia, Mo.

Q. How long was he here?—A. Well, sir, I think five or six days, or perhaps ten days. I cannot say for certain.

Q. Do you know what position he occupied here?—A. He was chairman of this board that was here.

Q. Chairman of the executive board of District Assembly 101?—A. Yes, sir.

Q. Did he state what the grievance was in Hall's case, either in writing or orally?—
A. Well, I do not remember distinctly. I think he said that Hall had been discharged unjustly, or something of that kind.

Q. Can you give the details of the ground or how he specified as to that?—A. No, sir; perhaps some of the others can. I do not remember.

Q. What did he say as to the discharge of Bassett?—A. He did not say much. He said Bassett had been discharged unjustly, and he had a good deal of testimony I did not read over. I found from him that this occurred before the railroad went into the hands of a receiver, and I told him that would not come under consideration.

Q. And you understood that to be the fact?—A. Yes, sir.

Q. Was there any other grievance presented to the committee?—A. There were three of them altogether. The discharge of Mr. Hall and Mr. Bassett and the pay of some bridgemen out west from here.

Q. What was said as to the cause of the discharge of the bridgemen?—A. They were not discharged, but they wanted their pay, I think, increased.

Q. Was there any statement from the bridgemen themselves?—A. No, sir.

Q. Do you know what was finally done in regard to the bridgemen?—A. I do not.

Q. Do you know what they were being paid?—A. I do not remember.

The CHAIRMAN. When did this conference take place—before the strike was declared, or afterwards?—A. Afterwards is my recollection. It was on the 3d, 4th, or 5th of March.

PAT ROWAN sworn and examined.

By Mr. PARKER:

Question. Do you reside at Marshall?—Answer. Yes, sir.

Q. How long have you resided here?—A. Off and on about nine years.

Q. You were here during March and April last?—A. Yes, sir.

Q. During the commencement and going on of the strike?—A. Yes, sir; part of it, but not all of it.

Q. What was your official position on the road at that time?—A. I was division road-master, having charge of the second division on the Texas and Pacific.

Q. The section passes through the city?—A. Yes, sir.

Q. How many men had you under you?—A. I had 97, 100, and 110, and different numbers.

Q. They were under your view a good deal of the time? Now, you may describe the commencement of the strike here and say when they went out.—A. On the 1st day of March I was coming from the west on the passenger train 304, and as I came on the Longview division I was informed that the men walked out at Marshall, and I was told it still farther on; and I came through to Marshall. I asked where was the foreman, and I was told that the men had gone out to the meeting. I wanted to see if they would come back, and I could not see the foreman; he kept out of the way for two or three days. At last I met him and asked him what was the matter; he said they were out on a strike. He was the foreman of the section hands, named Thomas

Goodin; I asked him what was the trouble and why did he quit, and he told me he did not know. I told him it was very curious that he did not know; that he had a wife and family, and it would not pay for a man like him to quit, and I said to him, "I want you to go to work in the morning and stop your foolishness, and if you want to strike you will not gain anything now." He said, "I will not work for \$100 a day." I said, "All right; I will get one that will work." I waited a few days more and thought he would come back. I told him then he would have to vacate the house, I would have to have it for men that would work. I went over the road and told the men it was very foolish to strike, as they did not know what they were striking for. There were only three gangs went out altogether on my division. I asked the next man I met whom he got the orders from, and he said the committee. I told him that he had better obey my orders. He told me he did not care, and then I told him his services were no longer required. And the third foreman, named J. C. Woods, foreman, went out. I asked him to go to work and he said he would not, and I then told him his name would be taken off the pay rolls if he did not obey orders and go to work on the 4th. Then I kept going on up and down the road, and sent a foreman to take charge of the Marshall yard. Somebody, I do not know who, told him he had better leave there. He said that he could not get board there; that they had boycotted him, and he was afraid and left. I had another foreman on the next section, No. 9, by the name of Harrison, and I told him I would give him this yard at Marshall if he would take charge, and told him that the pay was better than where he was, and that he would get \$65 a month. Some men went out to him.

Q. Did he come and take possession of the yard?—A. He did. He did not have any trouble in getting men afterwards. At Longview Junction I told them to go to work, and they would not. I had an extra gang there, and on the other section at Minneola we had an extra gang, and we turned them in there.

Q. How many of your sectionmen struck?—A. Three gangs.

Q. And you had no trouble in supplying their places with other men?—A. Yes, sir.

Q. Did you get as good men?—A. Yes, sir; I got as good men.

Q. What other disturbance took place here?—A. As far as disturbance on my part of it was concerned, I did not have any more that I can think about.

Q. So this last foreman remained some time?—A. He did not remain very long. He had been sort of afraid of them, and I understood he got drunk, and I called his attention to that, and told him that I could not keep a man that got drunk on that place.

Q. How long did he stay?—A. Over a month.

Q. And you got another man?—A. Yes, sir; I did.

Q. Did the men leave off work in the shops and leave the shops?—A. Yes, sir.

Q. About how many men?—A. I cannot say.

Q. How long did the shops remain closed?—A. Not more than four or five days.

Q. Did they get their full number, or did they just employ a few for a while?—A. They just employed a few for a while.

Q. Was work in the shops practically broken up?—A. Yes, sir.

Q. Do you know of any trouble to the freight trains or the engines?—A. No, sir; I was not paying much attention to that.

Q. Nor as to delays in moving trains?—A. There was some delay because there were no men to take care of them, and to put them out and place them as they came in. That crippled the business to some extent.

Q. Now, as to these foremen who refused to go back and to fill up their gangs again; did they belong to any order?—A. They told me that they belonged to the Knights of Labor.

Q. Those who supplied their places; how was it as to them?—A. I cannot say, sir; I never asked them.

Q. You never made any inquiry as to whether they were Knights of Labor or not, and did not know?—A. No, sir.

Q. Do you know anything of sectionmen being required to deal with any particular house?—A. Only in instances where men wanted to go into debt for the supplies they got.

Q. Have the company made arrangements to guarantee payment for the supplies when the sectionmen have not the money to pay cash?—A. Yes, sir. They let him buy where he pleases.

Q. There was no interference in that respect by any one in the company or by any of the men?—A. No, sir. They were instructed to that effect, and I can show you the instructions in regard to that.

Q. Have you got them with you in your pocket?—A. Yes, sir.

Q. When did you receive this [referring to paper handed by witness]?—A. Some time ago. That is from the last general roadmaster.

Q. Is that instruction given to other men?—A. I suppose that is an instruction to other men.

Q. And you received it as an instruction at the time it bore date, and that is the rule of the road so far as you know?—A. Yes, sir.

Q. What is there as to the sectionmen being required to board with the section boss? When they had the money to pay for their board were they required to board with the boss or at any particular place?—A. It did not make any difference. In some places there are no houses but the section-house, and in those cases he would probably have to board with the boss; but in Marshall and Longview division and at Minneola they can board where they please and make their own bargains and pay their own bills when they see fit.

Q. But, if the company had to guarantee their pay?—A. Then they send their orders to me and I approve them and tell the merchant to send the goods.

Q. (By Mr. BUCHANAN.) How many men were employed on those three sections at the time of the strike?—A. There were eight men employed on this section, eight men employed at Longview Junction, and seven men employed at Minneola. These were the sections that went out.

Q. How many men are there now employed on those sections?—A. The same number.

Q. How many were there at the time they went out?—A. Three, four, five, or six; I cannot say exactly.

Q. How many that went out have applied to be reinstated?—A. I cannot say.

Q. How many that have applied have been reinstated?—A. All those who have applied.

Q. But you do not say that when those men left, you immediately employed men to take their places?—A. They left and then some of them came back.

Q. In application for reinstatement you have made no discrimination against them for leaving your employment?—A. No man that wanted to go to work. I told them to put them on to work, for I needed the men.

Q. Have you ever received any percentage for sending men to trade at any particular store?—A. No, sir.

The following order was then read in evidence:

MARSHALL, TEX., *March 26, 1886.*

Texas and Pacific Railway to division roadmasters:

Please see that foremen understand that it is preferred they buy and pay cash for their supplies at nearest town without this department guaranteeing their bills.

In changing foremen and boarding bosses give a preference to such as have money or credit to carry on their business, without this department guaranteeing their bills, thereby saving clerical work and trouble to this office.

Yours, truly,

D. E. GROVE,
General Roadmaster.

Q. (By Mr. PARKER.) He was the roadmaster at that time?—A. Yes, sir.

JOHN J. KERTIN sworn and examined.

By Mr. BUCHANAN:

Question. Are you trainmaster on the Texas and Pacific?—Answer. Yes, sir.

Q. Were you at the time of the strike?—A. No, sir.

Q. When did you enter upon that duty?—A. On the 11th day of March.

Q. Where were you then employed?—A. I am employed by the Texas and Pacific at Marshall, and was chief train-dispatcher before that.

Q. What do you know about the detention at Marshall, Longview, and Texarkana of trains for want of help to coal engines and get them out?—A. I know that they were considerably delayed.

Q. Does your department relate to passenger and mail trains?—A. No, to freight trains.

Q. Give us a statement of how long the stoppage lasted, and about what number of trains were prevented from running.—A. The stoppage was for some three, four, or five days during the beginning of the strike and lasted until we got the protection of the United States marshal, and until we could get men to work. Previous to that time they would not work for fear of some violence being practiced on them.

Q. What proportion of the trains on the road were stopped?—A. Well, about two-thirds.

Q. Two-thirds of the freight trains?—A. Yes, sir.

Q. After you received the protection of the United States marshal, did freight trains run regularly?—A. They did not at that time, but as soon as we could employ men. They did not run at night for some time for fear of destruction.

Q. How long from the commencement of the strike was it until the time when there

was no freight detention? How long before the stoppage was entirely removed?—A. I think it was about the 20th, or somewhere in there, of March.

Q. It began about the 1st of March?—A. Yes, sir.

Q. What do you know about the detention of mail trains?—A. I do not know of any detention in that respect.

Q. Did not the men under you leave their employment at the time of the strike?—A. No, sir.

Q. Did not the men in every department leave your employment at the time of the strike?—A. No, sir.

Q. Do you know of any of the employes of the Texas and Pacific leaving their work at the time of the strike?—A. A very large number.

Q. Do you know of any intimidation to those who took their places?—A. I only know that from hearsay.

Q. Was it current rumor or not?—A. Sufficiently current to establish the fact to my mind.

Q. And coming to you from what sources?—A. From reliable sources.

Q. What sources—the new employes, the old employes, or the general public?—A. From employes and the persons who were compelled to leave work themselves. I do not know their names, to begin with.

Q. You had conversed with parties who had gone on the strike and had heard them speak of their reasons for leaving?—A. Yes, sir.

Q. Giving their reasons?—A. Giving their reasons; that they left in some cases by request, others through fear and from threats.

Q. The requests of whom?—A. The requests of strikers.

Q. Did you learn anything of the character of the threats?—A. Well, I do not remember just now the character, but they were of a character to justify a man in having considerable fear.

Q. You were chief train-dispatcher for a long time prior to March?—A. No, sir; for two years or more.

Q. And then on the 11th you were promoted to your present position?—A. Yes, sir.

JOHN L. GRIFFIN sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At Texarkana.

Q. What position do you hold on the Texas and Pacific Railroad?—A. I am train-master on the Transcontinental division between Texarkana and Whitesborough.

Q. Were you so employed at the time of the strike?—A. Yes, sir.

Q. What can you tell this committee about the detention of trains in consequence of the strike.—A. On the evening of the 6th of March the shopmen and yardmen at Bonham all quit work. There was no particular detention that evening any more than the delay of getting an engine ready by ourselves. We moved trains that night and next morning out of Bonham. On the afternoon of the 7th we made a failure. We made up trains, put the engines to the trains, put conductors and road crews on them, and the engineers claim that they were requested not to go on their engines, which they refused to do; and, of course, that stopped business at Bonham. At Texarkana they struck on the 8th. They killed four of our engines as fast as they went into the yard. It was the 10th before the marshals went there and took charge.

Q. To what extent was traffic interrupted on the road by this strike?—A. Everything was stopped at Bonham except the passenger train from the evening of the 7th to the 13th. The master mechanic had a letter of the Knights of Labor requesting J. Patton to quit.

Q. How did you know it was written by Knights of Labor?—A. The letter had the stamp of the order.

Q. What do you know as to the detention of mail trains.—A. There was no detention of mail trains on the transcontinental division.

Q. Is there any other information that will be of service to the committee as to the cause of this strike?—A. I do not know of any.

Q. Had you any conversation with the strikers as to the cause of their strike?—A. No, sir; there were no grievances stated to me. On the morning of the 13th I went to Bonham to move trains; I asked the yardmen to go to work, and they said they would not go to work until the strike was over.

Q. Were there any acts of violence to person or property at Texarkana other than you have indicated?—A. Well, we had an engine ditched at Windsor.

Q. Do you know the cause of the engine being ditched?—A. The switch was left open.

Q. Was any one injured?—A. No, sir.

Q. You say the switch was left open. Is it not a rule that the switches are secured?—A. They are secured by a lock.

Q. Who carries the key?—A. The conductors and brakemen, and also the engineer.

Q. Has any one else charge of the switches?—A. No one. The section foremen, some of them, are supplied with keys.

Q. Do you know of any switch, previous to this strike, being left open in that vicinity?—A. No, sir.

Q. Did you see how it was unlocked?—A. It was unlocked with a key. The west switch had the lock battered, but this lock was all right; it was perfect.

AMOS H. WATTS sworn and examined.

By Mr. PARKER:

Question. What is your official position connected with the railroad?—Answer. I am master mechanic of the Texas and Pacific.

Q. How long have you occupied that position?—A. Fourteen months.

Q. Where were you in March last?—A. I was at the city of Marshall.

Q. When did you go to Marshall?—A. I went to Marshall, I believe, in July a year ago.

Q. In what condition did you find the working force here then?—A. It was in a bad condition.

Q. What as to discipline?—A. In regard to the discipline I can say that it was very bad.

Q. What was the cause or occasion of it, if you know?—A. Well, I think one of the main causes was the way the company had settled the strike of 1885. They gave the men too much power, so that men in positions over them could not handle them as they ought to.

Q. So that they acted somewhat independently?—A. Yes, sir; they could. They had too much power entirely.

Q. How did they develop this power?—A. From the talk I had with the foreman, if any little thing went wrong in regard to any matter the foreman could not discharge the men but what there would be a committee wait on the foreman and then on the master mechanic, and they would want to know all about it; and if that did not suit their ideas, they would want the man reinstated.

Q. If you should direct that a man do a certain kind of work that he was not doing, did they interfere with that?—A. Yes, sir. They had an organization of what was known as grievance committees, and if you changed one class of men off from the regular routine work they would wait on the foreman about it. We have a certain class of labor at \$1.15 a day and another class of labor that gets \$1.25 a day. The Knights of Labor would not allow the lower class of laborers to work at the better class of work unless you paid him that laborer's wages, even if you only wanted him for fifteen minutes or so.

Q. If for only fifteen minutes' time they would require that he should be paid the wages that the others were getting?—A. They did not want them to do any of that kind of work.

Q. And interfered if you did so use them?—A. Yes, sir.

Q. Was the repair work or any department of work under your charge made more expensive by this course of action?—A. Well; that would be a pretty hard matter to tell, because really the stock used and everything combined so that it would be almost impossible to tell that. Our costs were running very heavy during the year 1886.

Q. Would a man do more or less in a given time under this condition that you speak of than they would have done if you had controlled the shops; as if they were your private property?—A. I think the same number of men would have done a third more work.

Q. If you could have controlled them as in private business?—A. Yes, sir.

Q. What was the habit as to leaving work and laying off; did you find any such custom that was unsatisfactory?—A. Well, in regard to that, since this organization has started, when men wanted to lay off they generally left and said nothing about it.

Q. Since which organization started?—A. The Knights of Labor. Before that we had very strict discipline and did not allow a man to lay off without he had leave.

Q. Do you know a man named Hall?—A. Yes, sir.

Q. What are his initials?—A. C. A.

Q. What is his name in full?—A. I cannot tell that.

Q. Was he under you?—A. Yes, sir.

Q. What was his position?—A. He was foreman of the freight shed, but was directly under the general foreman of the car department; of course he was under me.

Q. Do you know of his being promoted at any time?—A. Yes, sir.

Q. From what?—A. He was promoted out of the coach-shop; he was a coach-ouilder.

Q. Did that involve a change of pay?—A. Yes, sir.

Q. How much?—A. I think he was getting \$3 a day in the coach-shop, and the foremanship pays either \$90 or \$100 a month.

Q. So that it increased his pay to that extent?—A. Yes, sir.

Q. Upon what ground did you promote him, or for what reason?—A. He was promoted by order from the general superintendent.

Q. Who was he?—A. Mr. W. C. Cumming.

Q. Was he promoted to a vacancy?—A. Yes, sir.

Q. Who was his predecessor?—A. His predecessor was a man by the name of Ogle.

Q. How came he to leave the place?—A. The Knights of Labor had him removed for incompetency.

Q. Was he a Knight of Labor?—A. No, sir.

Q. He was removed under a charge of incompetency and Hall was promoted to take the place of a man who was discharged for incompetency on a charge made by the Knights of Labor?—A. Yes, sir.

Q. What as to Hall being qualified for the place?—A. According to our books Mr. Hall was not as competent as his predecessor; that is, from the figures on the books.

Q. Is there an account kept showing the average cost of repairs to cars?—A. Yes, sir.

Q. The amount of work done on them and the cost of putting them in running order?—A. Yes, sir.

Q. According to that report was the cost of repairing cars increased or diminished after Mr. Hall's appointment?—A. It was increased. However, I do not remember the figures exactly. But I think with Mr. Ogle the average cost per car was \$52 and some odd cents, and with Mr. Hall \$68 and some odd cents.

Q. Let me ask, when Schofield was foreman in 1884, what was the average amount spent per car; was the amount under Schofield, \$33.56?—A. It was either \$33 or \$35 and some odd cents.

Q. And when Mr. Ogle was in charge, was it \$52.48?—A. It was \$52 and some odd cents.

Q. And during the time Mr. Hall had charge, was it \$68.58?—A. Yes, sir; in that neighborhood.

Q. Will you look at this [exhibiting paper], and tell us what this statement is?—A. That is a comparative statement of the cost of repairs during the administration of Schofield, Ogle, and Hall.

Q. Is it correct?—A. I should judge from the figures that it is correct. Of course I cannot tell whether it is correct. I expect it is figured out to the same thing that I made it.

Q. What was the cause of the strike?—A. The cause of the strike was the discharge of C. A. Hall.

Q. Do you know any steps which led to his discharge?—A. Yes, sir.

Q. State them.—A. Well, I suppose it is just as well to begin at the beginning. I was at Texarkana, I think a week before the strike, and I sent a message to the general foreman, Mr. Crosby, whom I had been telling to have a water tank put up at the Taylor shop, and also to get a car ready for the tank as soon as possible, because they needed it very badly. I was going over the road for three or four days. After I returned to Marshall, the general foreman met me and told me had discharged Mr. Hall. I asked him what was the trouble, and he told me had discharged him for incompetency and neglect of duty. The next thing that I knew anything about it was that I had a committee wait on me. They did not wait on me—they sent a communication to me in writing with the seal of the lodge attached to it.

Q. Can you give the date of the discharge?—A. I think it was about the middle of the month—about the middle of February, or somewhere along there.

Q. Have you that communication?—A. Yes, sir; but I have not got it with me. I can get it. In that communication they stated that if there was no further reason for the discharge of Mr. Hall they wanted him reinstated. I did not reply to the committee, from the fact that they went over my head and interviewed Mr. Crosby, and I thought as long as they had taken the case to Mr. Crosby I would let them settle it with him. I think it was three or four days after that that a gentleman came to my office and demanded to look over my books. I asked him who he was. He told me he was Martin Irons, chairman of the executive committee. I told him that if he was chairman of the committee he could speak to me only on paper; but if it was necessary, I would have my clerk give an affidavit to the figures given in the comparative statement of work done by Schofield, Ogle, and Hall. He then left me. The next thing I knew the whistle sounded at 3 o'clock and the men all went out on strike.

Q. Three o'clock of that day?—A. Three o'clock on the 1st of March.

Q. Did any one come to you with Irons?—A. Well, there was no one; that is they did not make themselves known. I saw one or two with him, but, of course, Mr. Irons did the talking. He was the spokesman.

Q. Had you ever seen Mr. Irons before?—A. I had never seen him before.

Q. Did he represent himself as chairman of the district assembly 101?—A. I think he told me that he was chairman of the executive committee. I do not think that he said he was chairman of district 101.

Q. Had you any further communication with Martin Irons?—A. No, sir.

Q. Were any papers presented to you by him or left with you or read before you?—A. No, sir.

Q. You have told substantially all that transpired between him and yourself?—A. Yes, sir.

Q. Was there any communication or conversation between yourself and Hall in the premises?—A. I do not think Mr. Hall has spoken to me since the strike.

Q. Do you know of any other grievance existing at that time except the discharge of Mr. Hall?—A. No, sir; if there was any it was not known to me. There was nothing that I know of.

Q. Are the men paid the same wages for the same work in the shop since the receivers were appointed as they were before they were appointed?—A. Yes, sir.

Q. How many were on your pay-roll at the date of the strike, the average number on your whole roll?—A. My roll at that time would amount, from New Orleans to El Paso, to over twelve hundred men.

Q. How many of those struck?—A. I cannot tell you exactly. Here we had at Marshall 404 men outside of the engineers and firemen.

Q. How many of that number struck?—A. I have with me a comparative statement, and I can give you exactly what our force was the 1st of March and what it was on the 7th of May.

Q. You may tell us what that statement is.—A. It is a statement showing the number of employes in the car department at Marshall March 1 and May 7, and also in the motive car department for the same period. In the car department, on the 1st of March, the total number of men was 177; on May 7 it was 156. Out of that 156 52 are old men that worked prior to March 5, and have returned.

Q. You mean that they were strikers?—A. Yes, sir. And we have 21 less men now in the car department than we had prior to the strike.

Q. Have you as many as you need?—A. No, sir. In the motive department, on March 1, we had 221 men; on May 7 we had 190. Out of the 190, 100 are old men, which leaves our force 31 less than it was on the 1st of March.

Q. Do you mean that the 100 were strikers?—A. Yes, sir.

Q. So that you have now 346 men against 398 men before the strike?—A. Yes, sir.

Q. How does your present output of work compare with that before the strike?—A. We are doing 30 per cent. more work than before the men went out before the strike; that is, the men work that much harder.

Q. Now, as to men who may be wanted in the shop. Will you make any distinction between Knights of Labor and other men?—A. I have never asked a man what his religion or politics were, or whether he belonged to an organization.

Q. Have you any instructions on that subject as to whether you should take Knights of Labor or not in your employ?—A. We have only the instructions that we shall not take men back to work who have made themselves objectionable to the company.

Q. For what reason were these men objectionable?—A. They were objectionable, I was told. I never asked any questions in regard to it. I do not know what the objections were to them.

Q. You do not know what their acts were that made them specifically objectionable?—A. No, sir; I did not, because they did not come directly under my notice.

Q. Except these specified men, are you as ready to employ men who are otherwise satisfactory, they being Knights of Labor, as others?—A. Yes, sir. It does not make any difference with me.

Q. Have you had any instructions as to employing or not employing Knights of Labor?—A. No, sir.

Q. (By Mr. BUCHANAN.) You produced a statement before the committee purporting to be a comparative statement of the cost of car repairs in the C. A. Hall case; in it an account is given of the number of men employed, the cars turned down, the hours worked, the money paid, the average cost per man, the average hours per car, and the average money per car, under the administrations of James Schofield, W. J. Ogle, and C. A. Hall. The time given for Mr. Schofield is November, 1884. Do you know how long a time is included in that statement as far as Mr. Schofield is concerned?—A. For the month of November.

Q. Was that statement made by you?—A. It was made under my direction.

Q. In the time stated for Mr. Ogle is that one month, and which month?—A. It is one month; I think one of them was covering October and one November.

Q. And what month is taken for Mr. C. A. Hall?—A. I think his was October; but I will not be positive about the months.

Q. I would like to know what period of time they were made up for, and also whether those periods were periods when the same class of work was done in the car department?—A. Of course I do not know that; I cannot say.

Q. How many men have you orders not to take back?—A. I think it is about 60.

Q. Have you a list with you?—A. No, sir.

Q. Can you give me the names?—A. No, sir; but I have a list at my office.

Q. Is it a printed list?—A. No, sir; it is written.

Q. Do you make a weekly report to the general superintendent of all men discharged for cause?—A. We make out a monthly report. I think in the last few days we sent a daily report up to the present time.

Q. Was not the list of men discharged thuse sent to each point on the road with instructions not to employ them without permission from the master mechanic's office?—A. Not in my jurisdiction. No, sir; I do not carry any malice toward any one.

Q. I am speaking of men you report for discharge for cause. Is not that forwarded to each department of the road?—A. It used to be, and it has been done away with since I have been here.

Q. Since what date has that been done away with?—A. I think that was about four months ago. I cannot tell you the exact date. One of my clerks says it was January 27.

Q. Did you ever receive any such list of men discharged for cause from the Missouri Pacific Road?—A. No, sir.

Q. At any time?—A. No, sir; not during my administration.

Q. Have you seen any such list of the Missouri Pacific?—A. No, sir. The period that the comparative statement was made for was James Schofield, in November, 1884; W. J. Ogle, June, 1885; and C. A. Hall, October, 1885.

Q. Why were they taken at different months of the year?—A. I do not know that.

Q. Did you give any direction to select the months most favorable to those men and most unfavorable to Mr. Hall?—A. No, sir; I only told the clerk to make me a comparative statement.

Q. How many months had Hall been employed in that capacity?—A. Hall, I think, was promoted either in August or September.

Q. And remained there until March 1?—A. No, sir; until February 14 or 15.

Q. Did you know the time taken for Hall was a month so close to the time of his promotion?—A. I did not know.

Q. Would it not have been fairer to take a month later, when he had become accustomed to the work?—A. I do not think it would have made a particle of difference. He had the same men there.

Q. While that statement shows the amount of money per car, &c., it fails to show the character of injury to the cars in any one of these administrations. What is the fact as to that being the same or not during the three administrations?—A. Well, I do not think there is much difference in the bad-order cars from one year to another.

Q. What class of cars are they?—A. Box cars and coal-cars. Mr. Hall's, during his administration, was mostly coal-cars.

Q. What does that statement show as to the degree of efficiency in that shop under Mr. Hall's administration compared with the others; is it in favor of Mr. Hall or against him?—A. It is against him.

Q. Do you know of anything in the making up of that statement, or of any item that goes into the statement, which is unfair to any one of the three persons named in the statement?—A. I do not know. I think not. The statement is made up without that intention toward any one.

Q. How long will it take you to prepare a statement in an official shape giving Mr. Hall's last month?—A. I cannot say how long. Clerks are like all tradesmen in this country; they do not last more than four or five months, and the man who made that comparative statement has left here.

Q. But the regular books from which the statement was made up, I presume, are here, and might not another clerk with equal facility make out a statement for the period I mention?—A. He probably could; but it will take a lot of time, and we have not much time to fool with such statements as this.

Q. Was it fooling to get out this statement?—A. I only got up this statement.

Q. How long would it take to make up a statement as to his department and the cost of it during the last month of his employment or the previous month?—A. I should judge, if they could find it in the books, it would probably be done in about three hours.

Q. Was October Mr. Hall's first month in those shops?—A. I cannot tell positively; but I think that it was the previous month that he took hold.

Q. What about the rate paid for overtime?—A. The men all get time-and-half for overtime.

Q. And for Sundays?—A. No, sir.

Q. Has the shop turned out more work since you have been here than ever before in a corresponding time and with equal hands?—A. During my administration? I would rather somebody else should speak of that rather than myself.

Q. I ask you as a matter of fact?—A. I cannot answer that, because I have never figured up what the rest of the men have done.

Q. Did your force not turn out about an engine every eight days before the strike?—A. We turned out about eight engines a month over the whole system. In these shops I do not think we turned out over three in a month. We put out about three engines a month. That is, we generally did.

Q. And since the strike how many?—A. We have only turned out three engines since the strike. And the way that is reported would be that there were engines handled in the round-house since the strike.

Q. Without going into detail, would that explain the discrepancy?—A. Since the strike we have not had the force of men that we had before the strike. Our engines were run down during the strike and we had to get the engines out of the round-house which only wanted slight repairs and round-house work. I do not know how many engines we turned out, but we turned out a great many during the strike. It would be safe to say that we have turned out fifteen engines since the 1st of March, with considerable repairs done to them.

Witness was instructed to make out a comparative statement of the cost of work in the departments under Mr. Hall's administration during the last or preceding month before his discharge.

A comparative statement which was testified to is as follows:

JAMES SCOFIELD, NOVEMBER, 1884.

Number men.	Cars turned out.	Hours worked.	Money paid.	Average cars per man.	Average hours per car.	Average money per car.
38	44	6,977	\$1,476 80	1 $\frac{1}{2}$	158 $\frac{1}{2}$	\$33 56

W. J. OGLE, JUNE, 1885.

26	29	6,842	\$1,521 95	1 $\frac{1}{2}$	235 $\frac{1}{2}$	\$52 48
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C. A. HALL, OCTOBER, 1885.

34	29	9,124	\$1,988 90	4 $\frac{1}{2}$	314 $\frac{1}{2}$	\$68 58
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[Witness subsequently handed in the following letter and statement, which is placed here, so that comparative statements may be together.]

MARSHALL, May 10, 1886.

Congressional Committee:

GENTLEMEN: I have the honor to submit attached statement of cars turned out of Marshall freight-car repair shop February 1-14, 1886, inclusive, during Mr. C. A. Hall's administration. The clerk who kept the car accounts during this period is not in service, and I cannot testify to its absolute accuracy.

Yours, truly,

A. H. WATTS, M. M.

MARSHALL, May 10, 1886.

STATEMENT.

Number of freight cars turned out of freight-car repair shops at Marshall, February 1-14, 1886.....	22
Number of men employed February 1-14, 1886.....	40
Number of hours worked February 1-14, 1886.....	5,016
Total of freight repair-shop roll, February 1-14, 1886.....	\$1,163 87
Average cost per car turned out February 1-14, 1886.....	\$50 63

LARKIN T. DEMPSEY sworn and examined.

By the CHAIRMAN:

Question. What position do you hold on the Texas and Pacific?—Answer. I am general foreman of the motive power department.

Q. Did you hold that position prior to the 1st of March?—A. No, sir.

Q. Were you employed by the company at that time, or when?—A. Employed on the road, do you mean? I think I have been on the road since about 1877, or along about there.

Q. When did you take the position you now hold?—A. During March—about the 1st, but at any rate during the month of March.

Q. Just state the cost and amount of work done in March, 1886, and the amount done in the preceding year?—A. I cannot answer that question, because I was not at the head of the department where the record is kept.

Q. Have you examined your testimony before the special commissioner?—A. Yes, sir.

Q. You state in that that you think from the number of hours worked and the wages paid there was a difference?—A. You mean during the year ending March, 1886?

Q. During the year ending March, 1886?—A. Yes, sir; that is a fact.

Q. What was the cost of this work?—A. I cannot tell exactly all the cost.

Q. What reason did you assign for the difference?—A. Well, sir, there seemed to be a great deal of demoralization among the men and a great deal of neglect of duty.

Q. Did you ever have committees wait on you in reference to officers of the company or grievances?—A. Yes, sir.

Q. Were their demands reasonable or unreasonable, from your standpoint?—A. I did not consider them reasonable.

Q. Give us some general statement from which we can draw our conclusions.—A. I have had committees wait on me with requests, and in one case they asked me to resign.

Q. That you considered very unreasonable?—A. Yes, sir.

Q. Give us some other statements from which we can draw our conclusions.—A. Well, after this they would want to dictate in regard to handling the work, and in regard to what a man should do, and what they should not do, and I told them that I was there for the company and to do justice to all parties.

Q. Were these men working under you?—A. Yes, sir.

Q. Were you ever compelled to yield to their claims?—A. So as to get along, I was.

Q. What do you mean by "to get along"?—A. To keep peace and quietness in the shop.

Q. Did they say what they would do, if you failed to accede to their demands?—A. Well, they would give me to understand that they would go out right square for my removal, or any other man, under the same circumstances.

Q. Do you know of any instances in which the receivers failed to keep their promise with the employes?—A. No, sir; I do not.

Q. Do you know anything about what was called the Hayes agreement?—A. No, sir; nothing personally; only I have heard of it.

Q. Do you know what the men claimed in substance?—A. They claimed that men were to do certain work and he paid certain wages for certain work and time and a half for all overtime; and this has always been allowed from that time, since March, 1885.

Q. Did anybody ever get time and a half for Sunday work?—A. Yes, sir.

Q. Who?—A. Well, I cannot enumerate the names; every man who worked under me in the roundhouse.

Q. Did any wipers ever get time and a half?—A. No, sir; they were working straight time. They were never mentioned in the agreement. I never saw the agreement. All machinist laborers were to get time and a half. That was my understanding.

Q. Who told you that?—A. The officers.

Q. The committee of Knights of Labor?—A. I do not know.

Q. Is service better or worse since the 1st of March in the shops of the company?—A. Everything has been going on more smoothly since the 1st of March than it was previous to that time.

Q. Do you know when and how the strike commenced?—A. No; I do not know now of my own knowledge, except that there were rumors.

Q. Had you any difficulty in moving trains out of Marshall?—A. Well, sir, we had considerable trouble in getting men and keeping them after we got them.

Q. For what reason?—A. The men seemed to be afraid to work.

Q. Had you much embarrassment in moving passenger and mail trains?—A. I do not know that there was any embarrassment, more than in getting men to coal and to get them up. Of course that had to be done before trains could be moved.

Q. Was there a delay in the movement of trains on account of the lack of assistance?—A. Yes, sir.

Q. Did you ever have to do the work of other persons?—A. Yes, sir; I had to do most anything I could do to keep the engines going and to get coal on the trains. I had to go to the roundhouse myself personally.

Q. Was this a peaceable walk-out or a strike with unlawful interference with the company's property, accompanied by acts of personal violence?—A. The men simply walked out of the shop.

Q. Was that all they did during the entire strike?—A. Well, the men would come

around during the strike; they would come around a heap up to the 14th, when the United States deputy marshals came here and took possession and protected the property of the company.

Q. Did the men, after they walked out peaceably, take unlawful possession of the company's property, and kill engines, or do any damage of that kind?—A. No engines were killed that I know of here.

Q. Are you a machinist?—A. Yes, sir; previous to being made foreman.

Q. Were you a Knight of Labor?—A. No, sir.

Q. Please give the names of the committee which waited on you and told you that the wipers were not included in the article of the Hayes agreement.—A. It is generally understood that the wipers were regular employees.

Q. That is not answering my question.—A. I cannot give the exact names of them. Mr. Joe Smith, he was one of them, and Mr. Davis. Probably this gentleman [pointing]; but I do not know whether Mr. Bibb was a member of the committee. They were on a committee that waited on me.

Q. That is not the point. Can you give the names of the committee that waited on you on this particular matter? We simply want the names of the committee that waited on you and told you the wipers were not included in the Hayes agreement.—A. I cannot probably remember the names of the committee in regard to the wipers.

Q. (By Mr. BUCHANAN.) Give the names of the committee that requested you to resign.—A. Well, Joe Smith was on the committee, as well as I remember, and Mr. Davis.

Q. Did they say of what organization they were a committee?—A. Well, they just approached me as a committee.

Q. Whom did they say they represented? Did they tell anything about the body that had sent them?—A. They represented their assembly.

Q. Did they say so?—A. Yes; they said there was a complaint in the assembly.

Q. What complaint did they refer to?—A. That I had been asking a man to do what he did not consider his business.

Q. Did they desire you to resign on that account?—A. They told me I had better resign if I could not do differently.

Q. What reply did you make?—A. I at once told them I did not care to resign, that I was put in there to do justice to all parties.

Q. Who was in charge of the roundhouse, you or the committee?—A. The company was paying me; I was supposed to be in charge of it.

Q. Had you any other means of obtaining a livelihood but by the wages paid you by the company?—A. No, sir.

Q. (By the CHAIRMAN.) After the strikers went out of the shops did they return?—A. Well, sir, they were backwards and forwards round about the shops until about the 14th of March.

Q. Up to that time did they do anything to interfere with the movement of trains; if so, what?—A. Well, their appearance round there would naturally intimidate the men who were getting out and working on the engines at the roundhouse.

Q. Did they interfere with the property of the company?—A. No, sir; they did not.

Q. Were they there as special policemen?—A. Some of them said they were deputy policemen.

Q. I understand you, then, that they did not take hold of the cars or do any damage to them at all?—A. Nothing that I know of.

GEORGE H. WOODS sworn and examined.

By the CHAIRMAN:

Question. Are you a member of the organization of the Knights of Labor?—Answer. I was.

Q. Are you a member?—A. I do not know whether I am dropped from the roll; I was a member.

Q. Did you sever your connection with the order, and do you hold any position on the Texas and Pacific road?—A. Yes, sir; I hold a position with the Texas and Pacific.

Q. How long have you held such position?—A. About thirty-one months.

Q. Did you go out on the strike?—A. No, sir.

Q. Do you know Martin Irons, a man connected with the Knights of Labor?—A. I do.

Q. Did you meet Mr. Irons previous to or during the continuance of the strike?—A. I did.

Q. Where did you meet him?—A. I met him on the platform of the depot, and he called twice at my house.

Q. Subsequent or prior to the strike?—A. Once before and once after the strike took place.

Q. Did you talk anything about the strike previous to its taking place?—A. No, sir; nothing more than that he said he wished to avoid a strike if possible, and I asked whether there was going to be a strike. I do not remember that he gave me any definite answer.

Q. Did he tell you that a strike was contemplated?—A. I judged from his conversation that it was.

Q. How long prior to the strike did this conversation take place?—A. It was last February some time. I do not remember the day or date.

Q. Was it just previous to the strike?—A. It was just previous to the strike; yes, sir.

Q. Were you here during the strike?—A. I was here all through it, sir.

Q. Was it a peaceable strike, or were the men engaged in any acts of violence toward either the employes or property of the company?—A. I saw no demonstrations of that kind whatever.

Q. Was it a peaceable strike here?—A. All the men under my observation just simply laid down their tools, locked them up, and walked out. Many of them visited my car where I was at work during the strike.

Q. Peaceably and quietly, or did they interfere with you in the performance of your duty?—A. No, sir; they did not interfere with me at all.

Q. Why did you join the Knights of Labor?—A. Well, I was requested, and was told it was best for me to join it.

Q. What do you mean by that answer?—A. Well, I mean that when I joined the Knights of Labor a great many of the members thought that I could get along more peaceably with my work. I was requested to join several times during the strike of 1885.

Q. Did you join the Knights of Labor because you were afraid that if you did not do so you would be interfered with in your work?—A. No, sir.

Q. Or did you join it because you thought it would be to your advantage?—A. I thought it would be to my advantage; yes, sir.

Q. How long have you known Martin Irons?—A. About six years.

Q. When did he join the Knights of Labor?—A. I do not know that. The first intimation that I had of Martin Irons joining the Knights of Labor was when I saw his name as secretary of the executive board on the papers; that is the first I knew of him belonging to the Knights of Labor.

Q. Did you know him before you joined the Knights of Labor?—A. Oh, yes, sir.

Q. Where did you first become acquainted with Martin Irons?—A. In Rosedale, Kans., about six years ago.

Q. What was his occupation then?—He was a machinist. I was superintendent of the Thor Iron Works. He was under me.

Q. Where did he next go?—A. I do not know. He voluntarily quit the employment of the company.

Q. Do you know anything about his subsequent movements?—A. Nothing more than I have seen in the papers.

Q. Did the strikers do any acts by which they would interfere with the business of the company, or did they by their presence interfere with it?—A. Not that I am aware of.

ARTHUR D. PRICE sworn and examined.

By the CHAIRMAN:

Question. What is your employment?—Answer. I am a blacksmith.

Q. How long have you been employed by the Texas and Pacific?—A. Since the 5th of October last.

Q. Are you a member of the organization of the Knights of Labor?—A. Yes, sir, I was.

Q. Are you?—A. I was. I was prior to the strike; I have been expelled from the lodge.

Q. Why were you expelled?—A. Because I got in a sort of a little row at the hall, and they threatened to put me out of one of the windows.

Q. Was that after the strike was ordered?—A. Yes, sir.

Q. You went back to work for the company then?—A. Yes, sir.

Q. Did you stop work on the 1st of March when the strike was ordered here?—A. Yes, sir; because I was ordered out with the rest of the men.

Q. Ordered out by whom?—A. By Martin Irons.

Q. What position did he hold?—A. He was one of the executive committee of the executive board.

Q. Did he assign any reasons for making you stop work?—A. Not that I know of.

Q. How long did you remain out after the 1st of March?—A. I staid out on strike seven days, I believe.

Q. Did you attend a meeting of the Knights of Labor at that time?—A. Yes, sir; several of them.

Q. State what occurred, without violating any obligation that you are under. We do not want to make you do that. State what occurred at the last meeting you attended.—A. Well, I wanted a withdrawal from the order, and out of that we got into a difficulty.

Q. Did you hear anything said by the foreman there in reference to going back to work?—A. Yes, sir.

Q. What was said?—A. He got up to make a little speech, and he named some parties that said that they were going back to work, and he thought that they ought to be talked to and prevented from going. Some one called out my name, and called on me for some remarks; a man by the name of Jack Bryson called on me. They did so two or three times, and then I got up and spoke for myself. I said when I married my wife I had taken an obligation to keep my wife, and I thought that obligation was superior to any obligation I had ever taken, and I was going back to work and earn sufficient to support my wife and family; that I could not make a living by tramping. They set me down; they told me to sit down. I think Mr. Bassett got up and made some remarks, and Charles Johnson, the foreman, made some more, and they called on me again, and that time I believe Mr. King was proceeding toward me, and several words passed, and they told some one to "pitch him out," and another one halloed, "fire him out of the window."

Q. Did they fire you out of the window?—A. No, sir; they dragged me towards the door, and I tried to shoot some of them. Several of them struck me, and I was arrested for carrying a pistol, and they brought me away.

Q. Did that take place in the meeting?—A. Yes, sir.

Q. Do you know of any violation of their agreements with the employees on the part of the receivers since they have taken charge of the road?—A. None that I know of; there was none with me.

Q. Do you know Martin Irons?—A. Yes, sir.

Q. Did you hear what passed between Mr. Martin Irons and Governor Sheldon?—A. I heard a part of it; I was standing near them at the time.

Q. Did Governor Sheldon tell them he would give them passes to go and see Governor Brown or Judge Pardee?—A. That was the understanding.

Q. (By Mr. BUCHANAN.) You say that violence was used in this hall at the time you spoke of? I understand you to say you tried to shoot some of them.—A. Well, there was two parties started, four started, ahead of the hallway there to get me down, and I told them, "If you can do me up or carry me out of here, all right," and I drew my gun on them.

Q. In Texas the phrases "gun" and "pistol" mean the same?—A. Yes, sir.

Q. Did you make any move before this threat was made toward you?—A. No, sir.

Q. Did you act in the belief that your life was in danger?—A. Yes, sir; I would not like to be thrown out of a window.

Q. What has become of that charge that was made against you?—A. I was tried in the court and they cleared me for it.

Q. Were you tried before a jury?—A. Yes, sir.

Q. And the jury acquitted you?—A. Yes, sir.

Q. Since you have gone back to work have you received any threats or intimation from any strikers?—A. No, sir; no one has ever said anything to me at all. I got a letter asking me to go out of the shops.

Q. Was the letter signed?—A. Yes, sir.

Q. By whom?—A. John Browning, I believe, and Joe Brannan.

Q. Where is that letter?—A. Mr. Kelly, my foreman, has it.

Q. Had it any seal upon it?—A. Yes, sir; the seal of the Knights of Labor.

Q. Was that after this occurrence in the hall?—A. Yes, sir; after that.

Q. How long after that?—A. In the same week; this occurred on Saturday and that occurred in the next week, I think.

Q. I understand you to say that Martin Irons ordered this strike?—A. Yes, sir.

Q. Had you any grievance that was alleged on which that order was issued?—A. I never heard of anything else before Mr. Hall was discharged, and not before the strike.

Q. After the strike, did you hear any other cause alleged?—A. Yes, sir.

Q. What?—A. Something about Mr. Bassett's being discharged.

Q. Did you hear that spoken of before the strike?—A. No, sir.

Q. Did you go to work about the time that Mr. Powderly ordered the strike off?—A. I went to work before. I think it was before.

WILLIAM L. KETCHAM sworn and examined.

By the CHAIRMAN:

Question. Do you occupy the position of switch engineer on the Texas and Pacific road?—Answer. No, sir; I am a road engineer.

Q. During the strike what position did you hold?—A. There was no regular switch engineer on the switch engine, and I took hold of it and ran it.

Q. Why had that switch engineer quitted work?—A. I cannot personally answer.

Q. Were you running the switch engine before that?—A. No, sir.

Q. How long did you run it?—A. Between the 1st of the month and up to the 11th or 12th; along in there somewhere.

Q. Do you know of any acts of violence or intimidation practiced by the strikers?—A. No, sir.

Q. Was everything peaceable and quiet about the yards?—A. Well, I cannot say that it was in some respects.

Q. Well, just explain the situation.—A. The only thing I saw was, I was on the engine one night; I was waiting to put a coach on a passenger train. We were standing near the car repair place, and I happened to look out of my cab window and saw a man lifting his hand with something in it and getting back to throw. I told him he had gone just far enough, and he dropped it and ran. I got off the cab and picked up a rock to throw at him.

Q. Was that all you saw?—A. Yes, sir.

Q. Had any threats been made against you?—A. I received a notice; I do not remember the date of it.

Q. Was the notice signed?—A. It was.

Q. By whom?—A. It was signed "Committee K. of L."

Q. Was the seal of the Knights of Labor on it?—A. It was not.

Q. What did it say?—A. Well, I do not remember the exact words, but it was to the effect that I had better leave town; that they did not want any more "scabs" like me around.

Q. Had you been a Knight of Labor?—A. No, sir.

Q. What is a "scab"?—A. A man who goes to work while another man is on a strike.

Q. Had you taken the place of any one?—A. I took the place of the man who had quit the engine.

Q. Had not you been in the employment of the company before?—A. Yes, sir.

Q. Well, then, would that constitute you a scab?—A. Not in my mind, nor anybody's mind, I think.

Q. Is that all you know about this strike; is there anything further that you remember that is germane to this investigation?—A. After that I was walking down to take the engine one night and a couple of parties informed me that I had better "skip."

Q. Who were they?—A. I cannot say who they were; it was night.

Q. What does "skip" mean?—A. It indicates that a man shall get out of the country; that is the way I understand it.

LANSING S. THORN sworn and examined.

By the CHAIRMAN:

Question. Prior to the strike were you employed by the Texas and Pacific Company?—Answer. Yes, sir.

Q. Where, and in what capacity?—A. I was division superintendent of the New Orleans division.

Q. What position do you hold on the road now?—A. I am division superintendent of the New Orleans and Eastern Division.

Q. Where does that division begin?—A. The New Orleans Division includes Fort Worth to New Orleans, Whitesborough to Texarkana, and here to Texarkana, including a branch from Baton Rouge.

Q. Where do you make your headquarters?—A. At Marshall.

Q. When did you take this latter position?—A. On the 10th of March.

Q. Whose place did you take?—A. Mr. Dimick was the previous superintendent.

Q. Had he been discharged from the company?—A. He resigned.

Q. Had his resignation anything to do with the strike?—A. I think he had resigned a long time before.

Q. Where were you during the continuance of the strike?—A. In Marshall nearly all of the time.

Q. In and about the yards?—A. In the yards a great deal, and outside.

Q. State what took place during the continuance of the strike, whether there was any intimidation or violence, or whether everything was peaceable and quiet.—A. Commencing with the 1st day of March.

Q. Beginning with the origin of the strike and ending with its termination.—A. The first intimidation I had of the strike was on the 1st day of March. Some employé of the telegraph office told me that it had been reported on the street that there was to be a strike of the shopmen. It was reported to begin early. At 3 o'clock the whistle blew, and I saw all the men leaving the shop and the yards and walking towards

town. That is the first intimation I had of any strike. No one had presented any grievances to me. I did not hear of any trouble or dissatisfaction, although I had been asked by Governor Sheldon to furnish passes for some parties going to Dallas to confer with Governor Brown. Governor Sheldon called me in his special car as he was passing through Marshall, I think, on the last day of February. He was at that time in conference with some gentlemen there, and I heard a portion of the conversation. He asked me if I would furnish some gentlemen with transportation to Dallas and return; and I understood from part of the conversation that they were having that they were going to Dallas to confer with Governor Brown in regard to a man named Hall, that had been foreman in the car shop. I furnished the passes for himself and three men to Dallas and return, and on the 1st day of March the strike took place.

Q. Did they go to Dallas?—A. No, sir; they told me they were going to Dallas next morning, and I supposed they had gone.

Q. Who was there besides Hall?—A. I did not know them; I just furnished the passes for Hall and three men.

Q. You have not answered my question as to whether there was any intimidation or violence practiced respecting the yard and shop.—A. Our men were annoyed a great deal by the crowd going into the yard and bothering them, and in some instances men were even assaulted.

Q. How many assaults did you witness?—A. I did not witness any myself.

Q. How many were reported to you officially?—A. I remember of two instances here in Marshall.

Q. Were they cases in which the men were working for the company?—A. There was one of them at the shops; the other was working on the coal chute.

Q. Did you visit any other places along the Texas and Pacific road during the continuance of the strike?—A. No, sir; except I was on the line. I was at the bridge that burned west of here early in the strike.

Q. Was that prior to the arrival of the marshals?—A. No, sir; the marshals were here at the time.

Q. What caused the burning of that bridge; do you know?—A. I cannot say, sir.

Q. Was it accidental or the work of an incendiary?—A. The last engine that passed over it was examined and pronounced all right, and that no fire could have fallen from it.

Q. Was the business of the company interfered with at the time by crowds going around the shops and around the yards?—A. Yes, sir.

Q. Were these crowds composed of strikers, or strikers and citizens, or citizens who were not strikers?—A. I would say strikers, friends, and sympathizers.

Q. Was there anything in their language or conduct that had a tendency to interfere with the business of the company?—A. Yes, sir; their being present there in such large numbers, and whenever the men would be engaged in any work, by jeering them and crowding close to them, they would intimidate them.

Q. Did that happen anywhere else but at Marshall?—A. Yes, sir; at other points on the road, in Texarkana, Bonham, and other places, and Longview Junction.

Q. Did you ever investigate the cause of the burning of that bridge?—A. Nothing further than that we examined the last engine that passed over it.

Q. (By Mr. BUCHANAN.) Was it burned in the day or night time?—A. In the afternoon.

Q. (By Mr. PARKER.) Did you understand that to be an incendiary fire from all you could learn—yes or no?—A. When I first received the report the bridge was burning.

Q. I was not asking about that, but taking everything in connection with the burning, did you consider it an incendiary fire or not?—A. It would indicate that.

Q. From all you learned of the burning of the bridge, and all the testimony, negative and positive, were you of the opinion that it was accident or incendiary?—A. I could not account for it having got afire in any other way than by being set on fire.

Q. What about the displacement of the rail?—A. That is about a mile and a half west of Marshall.

Q. Describe it.—A. The rail was taken out of its place and it derailed a passenger coach.

Q. From your examination of that was the rail accidentally displaced or was it done by some person in malice.—A. It was done by some person in malice. Personally I did not examine it, but I saw the road-master who examined it and I received his report, and I know the place.

Q. What roadmaster was it?—A. Patrick Rowan.

Q. (By the CHAIRMAN.) Something is said here about special policemen. Who were they? Were they strikers or others?—A. I think they were strikers only, all of them. At least I saw several strikers who said they were special police.

Q. How many of them were there?—A. I understood there were forty appointed.

Q. Were they upon the company's premises both day and night?—A. Yes, sir.

Q. With the consent of the officers of the company?—A. No, sir.

Q. How did they happen to go there?—A. They were appointed, as I understand, by the mayor, and sent there. No one had asked for any protection, that is no representative of the road had asked for it.

Q. You mean to say, then, that the mayor of the city appointed a body of these strikers to protect the company's property?—A. He said they were.

Q. Did you ask the mayor if he had, and did he say that he had appointed them?—A. I did.

Q. What effect had their presence upon the employes of the company who remained at work?—A. It had a very bad effect upon them. They were afraid of them.

Q. Did it make them quit work?—A. Yes, sir.

Q. How many of them quitted work?—A. I cannot say. We put men on at different times and places, and they would leave in a little while. Our man on the coal chute was assaulted in leaving there.

Q. Was their action entirely confined to the company's premises?—A. Yes, sir; so far as I know.

Q. Do you know at whose request these policemen were appointed?—A. I think Mr. Pitts, who is here, would make a simple statement of the matter. I am not sure that members of the council had asked him to appoint them.

Q. Who is Mr. Pitts?—A. He was mayor of Marshall at that time. He told me that two members of the council had asked him to appoint them; and I understood from him that they were Knights of Labor.

Q. Was Mr. Pitts a Knight of Labor?—A. I am not sure, sir; I cannot say.

Q. He told you this?—A. Yes, sir.

Q. Where is he?—A. I saw him here a few moments ago.

Q. Were bloodhounds used in attempting to detect the parties who derailed the coach?—A. Yes, sir.

Q. Were the perpetrators discovered?—A. No, sir.

Q. Did they trace anybody to any particular place?—A. They found a trail, but it led them back into the road. Then they got lost. They had been away on an extended trip, and were tired and worn out. When they took up this trail they just ran it into the wagon road, and there lost it. George Mundane is the gentleman who has charge of the hounds.

Q. (By Mr. BUCHANAN.) Were you with the hounds, and did you see where they trailed?—A. No, sir; it was stated in the report.

Q. Then what these hounds did you do not know personally?—A. No, sir.

Q. Did they trace back to where the railroad employes were assembled?—A. No, sir; I was just told that they took up a trail and lost it in the road leading to town.

HENRY B. PITTS sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. Marshall, Tex.

Q. And have how long?—A. For three years, the last time that I have lived here.

Q. Were you present here during the strike of March and April?—A. Yes, sir.

Q. Holding any official position here?—A. Yes, sir; I was mayor.

Q. When did your time expire?—A. The last election was held on the 6th of April.

Q. During the strike in March was it necessary to appoint some extra policemen who had to do police duty?—A. The members of the city council said that there was a disturbance that would make it necessary to have extra policemen.

Q. What was that disturbance that seemed to make such appointment necessary?—A. I only appointed them to protect the company's property and shops.

Q. What was the cause?—A. There was a strike among the employes.

Q. What was the cause that seemed to make it necessary to appoint the special policemen?—A. It was done to prevent any unlawful interference with the company's property.

Q. Were there any threats made to interfere with the company's property before that?—A. Well, no, sir; I do not know that there were any threats made, but it was intimated that there was a fear of destruction of property, and hence that we should appoint extra police.

Q. About when was the strike here?—A. I think the 1st of March.

Q. When were the police appointed?—A. At night, when the men struck.

Q. Was there any request made for such appointment by men outside of the members of the council?—A. The council were the only ones to make the request.

Q. How many does the council consist of?—A. The council, I think, has four members. There were two members, I do not remember whether they were elected at that time or members-elect, that were sworn in, I believe.

Q. How many were there present at that meeting that appointed the police?—A. I consulted the whole number.

Q. How many policemen were appointed?—A. Forty-five or fifty.

Q. Was that the particular number requested?—A. Well, I do not think they re-

quested any number; we put on enough to serve. They were serving for nothing; without any pay.

Q. How many of those forty or fifty policemen so appointed were men who had struck that day?—A. I cannot tell how many of them had struck that day; but I think most of them.

Q. Do you know that any were appointed except strikers?—A. I do not know; I did not know that all of them were strikers.

Q. Some of them were Knights of Labor, I suppose?—A. I do not know, but I guess they were.

Q. You were not a Knight of Labor?—A. No, sir; I am not.

Q. How many of the council are Knights of Labor?—A. I cannot say, but I think two.

Q. Were either of the members of the council strikers?—A. I think two of them were.

Q. Now, I understand that there had been no act at that time indicating danger to the property, but from the general disturbances here in town it was thought that there might be danger, and this was done to prevent injury to the company's property?—A. That was the way it was reported to me. I consulted with a good many of our citizens, and we did it with a view to protect the company's property.

Q. I do not quite understand, and I would like your explanation, why other citizens who were not strikers were not selected instead of men who were strikers.—A. Simply from the bankrupt condition of the city; were not able to pay them.

Q. And they offered to do it without fee?—A. They offered to do it without pay.

Q. And did they serve without pay?—A. Yes, sir, they did. I will state, moreover, that in selecting these policemen, as far as possible, property holders of the city of Marshall were selected, men whose entire interests were with the railroad and the shops of the company here, and in their being protected, but not with a view that any assistance should be given the Knights of Labor in their strike, or anything of that character at all. It was thoroughly understood by all that as soon as the marshals should arrive the special policemen should leave and turn over the place to them.

Q. At some places we have been told that the strikers took possession of the railroad property, and that the effect was the prevention of trains running, and the use of engines. Was anything of that character contemplated or expected in the appointment of these men?—A. No, sir; they were instructed to thoroughly enforce the law in every respect, and I directed these policemen that if there was any dereliction of duty on their part it should be reported and the parties punished.

Q. The officers of the road did not say anything about the appointment of these men?—A. They did not say anything about it; they did not know it till afterwards.

Q. They were not consulted?—A. No, sir. I would just like to explain one thing right there. I did not look at the law as requiring the mayor and the officers of the city to go around and find out where property needed protection, but I looked upon the shops as being entitled to that protection, believing that they might be in danger.

Q. From what did you presume that there might be danger?—A. There were a good many tramps in the town—men who were loafing around here, and some around in a house that belonged to the company—and they seemed to be the parties that there was fear of.

Q. By these tramps you do not refer to any men who had been here in the employ of the company?—A. No, sir; they were just travelers passing through. Sometimes they would be reported to me as many as twenty-five at a time, and sometimes eight or ten of them.

Q. Now, were not there other purposes in having these men to protect the property?—A. Yes, sir; to prevent strikers from doing any unlawful act, and they were so instructed.

Q. Does it not seem a little unnatural that a body of strikers should protect the town against others of the same body?—A. As I said before, it does look a little unnatural; but from four hundred there were forty or fifty selected, and as far as possible I selected men who owned property in Marshall and who were law-abiding citizens, so far as I could ascertain from inquiry and from my own knowledge. Mr. Thorn had a talk with me about it several days afterwards, and complained about one or two of them, and I told him if an affidavit was made against one of them I would take cognizance of it and discharge him.

Q. What as to these men being leading men among the strikers?—A. Well, I did not know about their being leading men. I know a great many of them were not. Several of them who were selected sent in their resignations or their commissions a few days afterwards.

Q. Can you give us without much inconvenience a list of those men so appointed?—A. I think I can find it.

Q. Hand it in to us during the day.—A. Yes, sir; there are four or five lists. They are made up in squads.

Q. (By Mr. BUCHANAN.) Was a man by the name of Hall one of them?—A. No, sir; he was not. He applied for a commission and I refused to give it to him.

Q. Did he apply for a commission?—A. Yes, sir.

Q. At the time you appointed these special policemen did you administer any oath?—A. Yes, sir.

Q. Do you remember what that oath was? If so, repeat it.—A. It was that they would faithfully and impartially perform the duties devolving upon them as officers of the law and as special policemen of the city of Marshall.

Q. At the time you appointed these men did you arm them?—A. I did not.

Q. Were they armed?—A. I did not see any of them armed.

Q. Did you make any inquiry as to whether they were armed or not?—A. No, sir; I did not.

Q. You say you did this under advice of the principal citizens of Marshall. Did the principal citizens of Marshall advise you to appoint strikers on this police force?—A. They said nothing about that. I told them who the men were and that I thought we would appoint some of them.

Q. You say that the reason you appointed them was they were willing to serve without pay and owing to the bankrupt condition of the city. What do you mean by the "bankrupt condition of the city"?—A. There was not a dollar in the treasury, and we were several thousand dollars in debt. We had no money to spend on a police force of that kind.

Q. Was there any particular excess in the number of tramps about Marshall about the 1st of March?—A. There were a great many of them about that time.

Q. At the time of the strike was there an unusual number of tramps in Marshall?—A. Yes, sir; I think there was.

Q. Now give me your best estimate, on reflection, as to whether there was any unusual number of tramps in town about that time?—A. I had made no estimate.

Q. Had you any special police during the month of February?—A. No, sir; I think we had not.

Q. What proportion of the citizens draw their living from the company's property in this town?—A. I should think that at least one-third of the men here worked for the railroad.

Q. (By Mr. PARKER.) What is the voting population of your city?—A. At the last election I think it was 950 votes.

Q. (By Mr. BUCHANAN.) Your population being about what?—A. We claim about 8,000; I think it is 7,000 or 7,500.

Q. (By Mr. PARKER.) Were these special policemen assigned to any particular duty or place of duty?—A. They were assigned, they were told, to prevent any violation of law anywhere in the town, but their particular duty was to prevent any disturbance of or any interruption to the property of the company. Those were the instructions given them.

Q. (By Mr. BUCHANAN.) Was any special instruction given to them to prevent the resumption of trains or interfering with the running of trains?—A. No, sir; by no party that I know anything of. The advice that we gave them was not to interfere with any one.

Q. (By Mr. PARKER.) Then it would take this shape, that upon application to the council, two of whom were Knights of Labor, you appointed strikers to take charge of the company's property to prevent any person from interfering with the legal use of the property?—A. To prevent the illegal use of any of the property.

Q. That was the state of it?—A. That was the state of it, and it was done in good faith, with a view of protecting the property.

Q. And you selected strikers, under the circumstances, in preference to taking other people?—A. If you gentlemen will allow me to explain a little, I will tell you how we stood. The company and the city of Marshall are in litigation about these railroad shops here, and about the offices, and we considered we had a contract with the company by which these offices could be kept here, and also the shops. Bonds had been issued to a considerable amount for that purpose. The offices had been moved, and we thought it had been done illegally, and we had an injunction suit pending. We were afraid that the shops would go away, too, or be burnt, and we thought it best to protect the property, because we wanted to keep the shops here. We know that these shops are the support of this town, and therefore we wanted to protect them, and that is why we appointed the policemen. I had the greatest confidence in the men we appointed to protect the interests of the railroad as well as the town. I think the evidence you will have before you will show that everything was protected while we had charge of it, and that everything was turned over to the United States marshal as far as the town was concerned.

Q. (By Mr. BUCHANAN.) This town of Marshall has a special interest in preventing the destruction of the company's property and especially the shops?—A. Yes sir; and that is why we appointed men whose entire interests were here in Marshall; and as far as possible they owned property here.

Q. (By Mr. PARKER.) Did these special policemen make reports as other special police men are required to do?—A. The city marshal makes a monthly report; he was the officer in charge of them.

The committee here took a recess for one hour, and after the recess proceeded to take testimony.

GEORGE N. BIBB sworn and examined.

By the CHAIRMAN:

Question. You have examined this paper [indicating]; is it a copy of the original sent to Mr. Watts, master mechanic of the Texas and Pacific, and of which he speaks in his testimony?—Answer. Yes, sir.

Q. The names signed to it are George Bibb, Robert Hanson, W. L. Dearing, J. H. Little, and D. H. Leach. Will you please state whether these gentlemen were members of the Knights of Labor at the time that this communication was signed?—A. They were a committee from Assembly 4959.

Q. A committee of the Knights of Labor of this assembly at Marshall?—A. Yes, sir.

Q. Is this a correct copy?—A. Yes, sir.

The paper was then read as follows:

[Sanctuary of Old Reliable Assembly No 4959.]

MARSHALL, TEX., February 18, 1886.

A. H. WATTS, M. M.:

DEAR SIR: We, the undersigned committee, are instructed to submit the following to you for your action. Please inform us as early as possible what you will do in the matter. We, the undersigned committee, waited on Mr. Crosbie, G. F. C. D., and asked him his reason for discharging Mr. Hall, and by what authority he discharged him. Mr. Crosbie replied that he discharged him on his own responsibility for incompetency and absent from shop without leave. This committee can prove by a reliable witness that Mr. Hall was granted leave of absence by Mr. Crosbie. Mr. Crosbie denies having had any conversation with Mr. Hall on the matter. This committee is willing that Mr. Hall's competency shall be tested by the company's books, compared to his predecessors. Unless more satisfactory reasons can be shown for Mr. Hall's discharge, we are instructed to demand his immediate reinstatement.

GEO. BIBB.
ROBT. HANSON.
W. L. DEARING.
J. H. LITTLE.
D. H. LEACH.

RICHARD B. REAGAN sworn and examined.

By the CHAIRMAN:

Question. Mr. Reagan, have you examined this copy of the testimony taken by Mr. Henry, a special commissioner appointed by Judge Pardee to investigate into the cause of the strike?—Answer. Yes, sir.

Q. Is it correct?—A. Yes, sir.

The CHAIRMAN. I will read it, then, as part of your testimony, omitting the questions. If there is anything in it that you desire to modify you will so state.

The WITNESS. I will change it as you go on if it is necessary.

Statement before Commissioner.

"My name is Richard B. Reagan, and my official position is that of United States marshal for the eastern district of Texas. There are about 240 miles of the Texas and Pacific Railway in the limits of my district. In my capacity as United States marshal I took charge of the Texas and Pacific Railway property in my district by virtue of a writ of assistance, United States circuit court, No. 16, The Missouri Pacific Railway Company vs. The Texas and Pacific Railway Company, 'Signed W. E. Singleton, clerk eastern district of Texas,' said writ instructing me to protect all property of said railway and to aid and protect the receivers in operating the same. I took official charge of said property on the 12th day of March, 1886. The employment of deputy marshals was in my judgment absolutely necessary to protect said property from destruction. The number of deputies employed for this purpose from March 12 to date has ranged from fifteen to eighty, the latter being the highest number employed at any one time, and has been diminished and increased at different times as necessity demanded. There are employed in my district at present ten deputies at Marshall and three at Texarkana, these being the ordinary force employed by me. Machinery in the shops at Marshall was disabled by parts being taken away and hid: engines at Texarkana

were disabled and injured; a passenger car was derailed near Marshall; two bridges were burned within the limits of my district, all of which I believe have been done by the striking employes of the Texas and Pacific Railway and their sympathizers.

Q. (By the CHAIRMAN.) I will ask you here why you say that you believe that these depredations were committed by the striking employes of the Texas and Pacific or their sympathizers?—A. Well, from the circumstances that presented themselves to me at the time it was done.

Q. What were those circumstances?—A. Well, by the crowd that came standing around and the threatening disposition of them to do every crime that they could to prevent the running of the road.

The Chairman resumed reading as follows:

"In the early part of the strike a connecting link of an engine being repaired was taken from the Marshall roundhouse, and was returned about April 1, by one Frank Norman, a striking machinist; a part of a lathe in the machine-shops at Marshall was taken away and returned about April 15, and returned by one Richardson; about 10 o'clock on the night of March the 14th, the bridge at the east end of Marshall yards was discovered on fire about the center, and the fire was extinguished by my deputies; no engine had crossed this bridge for some hours, the nightwatchman had inspected it a short time before and saw no signs of fire; and paper partly burned was found stuffed in the timbers of the bridge, as if used for kindling. This bridge was undoubtedly set on fire by the strikers or their friends. On the morning of March 17, a passenger car of train No. 305 was derailed at a bridge $1\frac{1}{2}$ miles west of Marshall; on personal investigation, I found that the spikes on the outside of the rail had been drawn by a crowbar (the marks of the crowbar on the ground near by showing where it had been dragged), and that the nuts had been taken from the bolts of the fish-plates at the end of the rail with a wrench, as the fish-plates and bolts were found under the bridge, and the threads of the bolts were intact and the fish-plates unbroken, which would not have been the case had the rail been misplaced by the action of the wheels passing over it. This work I believe to have been done by striking employes of the Texas and Pacific Railway. On March 18, bridge 713, about 8 miles west of Marshall, was burned, causing delay of trains from four to six hours. This bridge I believe to have been set on fire by strikers, as no engine had passed over recently enough to justify the belief that it had caught from falling coals. On April 8, bridge 663, 2 miles east of Mineola, was burned, delaying trains from nine to eleven hours. This bridge was about 16 feet high and burned from the bottom, being, in my mind, conclusive evidence that it was set on fire, as any fire falling from an engine would have burned from the top, there being a stream of running water under the bridge which would have extinguished coals falling below the upper works. At Texarkana engines 509, 524, 659, 662 were held in the Iron Mountain yard on the Arkansas side from March 6 until March 26, and were disabled as follows: The water had been let out of the boilers and tanks of all of them; the tank hose on engine 509 was cut and destroyed; the throttle levers of engines 524 and 662 were taken off and hid. This work was known to have been done by striking employes of the Texas and Pacific Railway, but as they had remained on the Arkansas side at Texarkana, and therefore out of my jurisdiction, their arrest has been impossible. In the latter part of March three colored strikers attacked the house of a colored employe in the Longview roundhouse, breaking the windows and throwing coupling pins and links into the house. These men were arrested, tried, and two of them sentenced to jail for a term of four months, the third being discharged. Up to the present time there have been twenty arrests made for intimidation, contempt, and violence. Of these ten have been convicted, four discharged by the court, and five are now under bond to appear at the next term of the United States court, or at such earlier time as they or their attorneys may be notified. About the 20th of March obstructions were placed on the track at two places between Mineola and Terrell, for the purpose of wrecking trains, but were discovered by the engineers in time to prevent damage."

Q. (By the CHAIRMAN.) I see that you give a statement here, in various parts of this testimony, as to the depredations committed upon the road and upon its property—that you believe these acts have been done by the strikers and their friends?—A. Yes, sir.

Q. Will you be kind enough to say why you believe these acts were done by these men?—A. I was not present, of course, but from all the indications, and the information brought me, I believe that it was by them.

Q. State the character of actions indicating it.—A. These people stayed around me and taunted me and my men for ten or fifteen days during the time this was going on.

Q. You concluded from these facts these men or their friends had burned the bridges?—A. Yes, sir; I presumed it.

Q. Could it not have been done by tramps?—A. It could have been done by tramps, and it could have been done by citizens.

Q. Are these the only reasons which you assign for believing it?—A. I have no other to assign it to.

Q. In one case you speak of the depredations in which you say that the water had been let out of the tanks and boilers, and you say that this work was known to have been done by strikers?—A. They were captured; they were over the line outside of our jurisdiction, and we could not reach them. The switch-yard at Texarkana is in Miller County, Arkansas.

Q. You received information, then, from individuals who said that they had seen these men do it?—A. Yes, sir.

Q. You do not know that they were Knights of Labor?—A. They said they were; my men that were present said that they were Knights of Labor.

Q. Your deputies?—A. Yes, sir. They cannot cross the line to do anything; they could only go to the line, and they had no authority across it.

Q. Now, you say that you made a personal investigation of the derailment of the car. Will you state all the facts which you know in connection with that derailment, which are not included in this statement?—A. Well, I do not know that I can state anything further. I went on the ground to look at the situation; I went out there ten minutes after it happened. I got on the engine and ran right out to the scene, and I picked up the bolts that had been taken out of the fish-plates, and the threads were not at all injured. It showed on the outside of the rail where something had been set on and a prize had been made on the ties, and these nuts pressed on the ends of the ties, and they were all thrown up. That is all I know about it.

Q. Was the engine derailed?—A. No, sir; the engine made its way across and broke loose from the tender and passenger coach, and ran right up to the bridge and within 2 feet of going off the bridge, when it checked up.

Q. What was that bridge over?—A. Over a ravine $1\frac{1}{2}$ miles out.

Q. How far would the fall have been?—A. About 16 or 12 feet, or 10 feet.

Q. What time of day or night did this occur?—A. Just at daylight.

Q. Did you go into the car?—A. I did not.

Q. Was it a freight or passenger train?—A. It was a passenger train.

Q. Were there passengers aboard?—A. Yes, sir.

Q. Had you any personal collisions with any of the strikers?—A. Well, sir, I was accosted on frequent occasions, and by one man called Bailey, until I got worried, and until I thought it became personal to me. I did not come to this town for that purpose, but when it comes to that I saw I would have to protect myself when I was traveling around. I did not come here to insult anybody or take any insults from anybody, and it was done so frequently and repeatedly that I told him it was a matter that would have to be settled between me and him.

Q. Who was Bailey?—A. One of these strikers; one of these committeemen.

Q. N. Bailey, member of the general executive board of the Knights of Labor?—A. That is a man here in this place; I understand he is one of those men.

Q. You do not mean Bailey from Ohio?—A. No, sir; I mean one of those local assembly men named Bailey.

Q. What was the nature of the insults which you say Bailey offered to you?—A. Every time he would meet me he would ask who I had arrested and who I was going to arrest and all about my business generally, in an offensive way. I cannot recollect every word he used. His manner showed that he intended to insult me, and his manner showed that if I had not been an officer he would not have done it but once.

Q. Was any information conveyed to you by any person that threats had been made to shoot you?—A. Yes, sir.

Q. Who was the person that informed you?—A. It was a man by the name of Warren Read, a member of the Knights of Labor.

Q. Where does he live?—A. At Tyler.

Q. Did he tell you who had made these threats?—A. He told me it was a man by the name of—I cannot call it; he lives in this place.

Q. Had you ever had any difficulty with the man who threatened to shoot you?—A. No, sir; I have never had any difficulty.

Q. Did he give any cause that was assigned by the party who had threatened to shoot you?—A. He said that me and Governor Brown there, Mr. Hoxie, and Jay Gould ought to be killed, and if they could kill me out of the way and Governor Brown here, it would be a good thing. I do not know the man, but he has been on the yard there; I think his name is Durllee.

Q. Did you ever draw up your men in line to protect the railroad property from the strikers?—A. I did at the roundhouse here. The men were going to cut down a flag that we had raised and drive me out of the shop, and when the news came to me I fixed myself so that it could not be done.

Q. How many men had you?—A. About forty.

Q. All armed?—A. Well armed at that.

Q. Did they come?—A. They did not come.

Q. Who gave you the information?—A. I do not recollect who it was now.

Q. Who sent the word?—A. Some of these men; I do not know any of them.

Q. Do you not remember who told you?—A. I do not recollect now who it was that notified us. We were notified by several people and my men were. I knew from the circumstances which were going on, and this man who told me said the thing had been talked in the meeting and on the outside. I kept my men on the railroad ground all the time, and when I would pass from the telegraph office down in front of the grocery house down there they sneered at my men and me, and I had a good deal of trouble to keep down difficulties on the road. Unless things were changed I thought I would not be able to do it; but I did not propose to come here and create difficulty. I was sent here to protect the property of the company, and I would have used any means if I had been attacked to do it.

Q. Were there any notices hung in the yard?—A. Yes, sir; hung in the yard and sheds within fifty steps of the track.

Q. Notices to whom?—A. I do not know; I looked at it from the railroad grounds. I never went off then; I staid right on my own ground.

Q. Did you see any violence either to man or property, any engines killed, or other acts of violence?—A. I was not present at the time when that was done; no engine was killed here at this place.

Q. Was there any act of violence perpetrated in this town, as far as you know, by the strikers or their friends?—A. There were threats used against us and the men; they threatened the men around the works.

Q. Was there any destruction of property in Marshall?—A. None after I came here; none after I had the men on the ground to protect the property.

Q. What force of men did you find employed in the shops of the company?—A. It was very few; I do not recollect.

Q. The shops filled up after you came, did they?—A. Yes, sir, gradually from time to time; every day or two men came to the shops.

Q. When did you stop guarding the property?—A. I am guarding it to-day with ten men.

Q. When did you cut down your force?—A. From time to time; at different times, just as I thought I needed men to guard certain places that I wanted to guard.

Q. (By Mr. BUCHANAN.) How long have you resided in Texas?—A. I came to Cherokee, Tex., in 1857, and have lived there ever since.

Q. You stated that you had ten men at Marshall, and three at Texarkana, and they were regular deputies. Do you mean by that if there was any probability of any trouble you would have more?—A. The three men are kept at Texarkana to keep anybody there from cutting the water off.

Q. Then they are retained there because you apprehend trouble?—A. They are guarding that water and generally about the roundhouse.

Q. And they are kept there because it is deemed necessary to the safety of the company's property?—A. Yes, sir; that is what I am keeping them here for.

Q. Both of these forces are really special forces?—A. Yes, sir; they are men I have employed specially.

Q. By whom are these deputies paid?—A. Paid by the railroad, sir. I say the railroad—it is paid by order of the court.

Q. But you do not know whence the funds come—from the Government or from the estate in the hands of the court?—A. The accounts are sent to Dallas and audited there and the attorney sends the money to me. It is my understanding that the railroad is paying for it.

Q. When you first came here with your force of deputies, who did you find in charge of the railroad property?—A. We did not find anybody; but after I came here there was a force of these strikers that had been employed here, but I did not see anybody about the works, and it was two or three days afterwards that a gentleman came down to me and told me what had been done about special police.

Q. Did you find any of them about the works?—A. I did not find anybody about the works.

Q. You say that no engines were killed here, and no damage done to the property after you came here; was there any damage done to property before you came?—A. Some links, and one thing and another, had been taken from an engine, and part of a lathe taken away, but it was brought back and placed there after I came. The piece that disabled the lathe was brought back.

Q. After your arrival?—A. Yes, sir.

Q. Brought back by whom?—A. Richardson is the man's name.

Q. Is he connected with the company?—A. He had been in the shop, but went out of the shop on the strike.

Q. The removal of that part rendered that lathe useless?—A. Well, I do not know anything more than what the men in the shop say—that it could not be used without it. None of our men know anything about machinery.

Q. Then as to the information that you had that a posse of forty special policemen.

were guarding the property?—A. I was informed that they were; I found that there was a large number of armed men around this town.

Q. Do you mean scattered around the town, or on the company's works?—A. Yes, sir; on the company's works.

Q. (By the CHAIRMAN.) How long after the strike was it before you took possession of the company's property?—A. I took possession on the 12th of March.

Q. Who was guarding the company's property when you took charge?—A. Nobody that I saw.

Q. Did you hear any complaints against Knights of Labor previous to your taking charge?—A. Oh, yes; you could hear all sorts of complaints through the country.

Q. Can you account for the violence that took place immediately after your taking charge?—A. I do not know; but there was a great deal of excitement around about the works and we had to keep a very careful watch.

Q. Do you know of any men being brought from New Orleans to work in the company's shops?—A. Yes, sir.

Q. Have they been threatened with violence?—A. Yes, sir.

Q. How late?—A. Well, sir, up to the last two or three days; it is a pretty regular occurrence; as they walk to the house or go to the post-office they are accused and abused. I am in the street but very little. They came and complained to me. When I was going to leave I had some flags put up at the shops and the telegraph office. These men heard that I was going to leave and they came down and said to me, "If you are going to leave we cannot stay here," and as the property had gone into the hands of Jay Gould they were not willing to stay. I then told them that I would stay and protect them as long as the receivers and Judge Pardee thought it was necessary; and I hung that flag up there, and it is hanging there to-day.

Q. If it were not that your presence was needed here would you still remain?—A. No, sir; I would not remain; I would leave here because I have got other business. I have one court at Galveston and another court in two months. I cannot go away. What would I have done to have gone and left this property and let any destruction come on it? Whenever the court and receivers say they are satisfied I would be willing to go, and be willing it should be this evening.

Q. Something was said about dogs attempting to track the parties who burned the bridges and derailed the coaches. Do you know anything about that?—A. Yes, sir; I saw the dogs start from the car. The dogs belonged to a gentleman here and were in charge of Mr. Mundane. They took the trail and went west and then crossed the track and were coming in town. They had been out a week, and when they got here in this road their feet were bleeding and they could not go any farther. It was a great misfortune we did not have them that morning; if we had we would have got the man that moved that rail, for they never fail. I want to say here about this question of bloodhounds, I have never seen a bloodhound in Texas. These dogs are common fox-hounds trained to follow men.

Q. They are not regular bloodhounds?—A. No, sir; they are these long flop-eared dogs, the only ones that I have ever seen trained to follow men.

Q. (By Mr. BUCHANAN.) A statement has been made in some of the public prints that these dogs traced the trail around back to the company's property. Is that true?—A. That is not so. That is a story got up in this town by men in this house, and it is not so. That is all I can say about that.

L. S. THORN recalled and examined.

By the CHAIRMAN:

Question. Had you any conversation with the strikers to the effect that these matters were not to be settled peaceably?—Answer. If it was not settled in forty-eight hours it would be settled with guns and bayonets.

Q. Was that an oral statement?—A. Yes, sir; orally by a striker. Hager is the man's name.

Q. Was he a Knight of Labor?—A. Yes, sir.

Q. And a striker?—A. Yes, sir.

Q. How do you know he was a Knight of Labor?—A. Because he told me he was.

Q. Does it necessarily follow that a man is a Knight of Labor because he says so? Have you any other evidence of that?—A. He was an employé of the company, and went out with the other employés.

GEORGE M. BIBB recalled and examined.

By the CHAIRMAN:

Question. Are you a Knight of Labor?—Answer. Yes, sir.

Q. Examine that and see if you recognize it [showing witness a paper].—A. Yes, sir.

Q. Were you authorized to write that officially?—A. Yes, sir.

Q. Who was G. M. Tamsit?—A. He was foreman of the blacksmith shop at the time I sent that to him.

Q. This is in your handwriting?—A. Yes, sir.

The letter was read as follows:

[Sanctuary of Old Reliable Assembly 4952.]

MARSHALL, TEX., 4, 7, 1886.

G. M. TAMSIT:

DEAR SIR AND BROTHER: By order of the general executive board, indorsed by the executive boards of 101, 93, and 17, a strike is to be effected. The general executive board will give you all the assistance in their power. You are hereby requested to quit work or you will be expelled from the order.

Yours truly,

[SEAL.]

GEORGE N. BIBB, R. S.

Mr. Bibb, who is recording secretary of Assembly 4959, being shown three documents, said that they were official orders, all of them being in his handwriting, and they were read as follows:

[Sanctuary of Old Reliable Assembly No. 3058, Knights of Labor.]

MARSHALL, TEX., 4, 7, 1886.

W. M. BISHOP:

DEAR SIR AND BROTHER: You are hereby notified to quit work, by order of the executive board, or be expelled from the order.

[SEAL.]

J. G. BROWN, R. S.

Q. Mr. Bibb, you state that W. M. Bishop was in the employ of the Texas and Pacific Railroad?—A. Yes, sir.

[Sanctuary of Old Reliable Assembly No. 3058, Knights of Labor.]

MARSHALL, TEX., 4, 7, 1886.

S. F. ALLEN:

DEAR SIR AND BROTHER: You are hereby requested, by order of the general executive board, to quit work or be expelled from the order.

[SEAL.]

J. G. BROWN, R. S.

[Sanctuary of Old Reliable Assembly, No. 3058, Knights of Labor.]

MARSHALL, 4, 7, 1886.

S. KELLEY:

DEAR SIR AND BROTHER: You are hereby notified to quit work, by order of the general executive board, or be expelled from the order.

[SEAL.]

JOHN G. BROWN, R. S.

GEORGE M. TAMSIT sworn and examined.

By the CHAIRMAN:

Question. Examine that [showing him letter above introduced] and see whether you received it or not.—Answer. Yes, sir, I received it.

Q. Do you know Mr. Bibb's handwriting?—A. I do not.

Q. That is the seal of the Knights of Labor; is it of this assembly?—A. I think it is.

Q. Are you a Knight of Labor?—A. No, sir, not now; I was at that time.

Q. Did you cease your connection with the order?—A. That ceased my connection, as it says, "quit work or be expelled."

Q. You did not quit work?—A. No, sir.

Q. And you consider yourself expelled?—A. I do.

Q. Are you acquainted with S. Kelley, W. M. Bishop, and S. F. Allen?—A. Yes, sir.

Q. Were they Knights of Labor?—A. Not to my knowledge.

Q. Did they receive communications like yours?—A. I do not know.

Q. Did they quit work about the 7th of March?—A. I cannot say; I do not think they did.

- Q. (By Mr. BUCHANAN.) Were you working at this place at the time of the strike?—
 A. Yes, sir.
 Q. Did you go out on a strike?—A. No, sir.
 Q. Did you remain at work?—A. Yes, sir.
 Q. What is your trade?—A. I am a blacksmith. I quit work on the 4th and remained out four days.
 Q. (By the CHAIRMAN.) Did you go out on a strike?—A. I did not go out on the 1st of March.
 Q. When did you go out?—A. On the 4th.
 Q. Did you go out on the order of Martin Irons when you did go out?—A. There was nothing for us to do in foreman's duty.
 Q. You stopped because there was no work for you to do, and not because you were a Knight of Labor and had gone on a strike?—A. Not at all.

JOHN A. LARKIN sworn and examined.

By Mr. BUCHANAN:

- Question. Where do you reside?—Answer. At Bonham, Tex.
 Q. Are you in the employ of the Texas and Pacific?—A. Yes, sir.
 Q. How long have you been so employed?—A. Thirty-six months.
 Q. What position did you hold at the time of the strike?—A. I was division road-master.
 Q. How many section foremen had you before the strike?—A. I had fourteen.
 Q. What orders did you get from the general road-master in reference to the discharge of foremen?—A. I got a telegram from Mr. Grove stating that any foreman that did not get men was to be discharged, and I was to try to get a foreman who would try to get men to go to work.
 Q. How many of them got gangs and went to work?—A. Ten of them got gangs and went to work.
 Q. What did the other four do?—A. The other four would not get them, and I told them to quit. They could leave if they did not get the men.
 Q. Did they fill up the gangs, or what was done?—A. We put men in their places.
 Q. Did these men get section men?—A. Yes, sir.
 Q. What have you to say in reference to Thomas Quinn?—A. That man I told the same that I told the balance of them, that he would have to get men or quit; and he told me that he could not get any men, and said that he would not try any more. I told him, "I will have to put a man in your place," and he said, "the man that took his place would find that it would not be healthy for him."
 Q. What reply did you make?—A. I told him I would take the risk on that.
 Q. Did he say that in an emphatic manner, or otherwise?—A. He just told me square out the man who would take his place would find it would not be safe for him.
 Q. You did put a man in his place?—A. Yes, sir.
 Q. Did you have any conversation with him after you put a man in his place?—A. Yes, sir; I came down in a couple of mornings after that, and asked him if he would get out of the house and vacate it, and do so as soon as he could; that the man I had given charge of the section would have to have the section-house to put his men in.
 Q. One of the company's houses?—A. Yes, sir.
 Q. Well, what did he say?—A. He told me he would not get out, and he also said, "I will get even with you and Mr. Grove, the general road-master, for the way you have schemed on me and put a man in my place." I told him that would be all right; we would run the risk of that.
 Q. These section-houses belong to the company and are on the company's right of way?—A. Yes, sir.
 Q. What do you know as to the practice of intimidation?—A. Well, there were some parties there at Bonham. I hired two or three foremen at Bonham, and there were two or three parties that told the foremen that they could not run that section and take the foremen from their boxes. They cursed me, and told my clerk to tell me that they could not stop in that town, where there were so many Knights of Labor.
 Q. What was that trouble at Bonham yard?—A. There was something to be done, and I got the foremen and two or three men to work one afternoon, and I was working there, and some parties hallooed to us to get away from there, and as quick as the foremen saw me they said they did not think it was safe to work there.
 Q. What circumstances have you knowledge of occurring about the 14th of March in reference to a foreman named Jones?—A. Jones, I hired him to take charge of the Bonham yards. I told him I would pay him \$70 a month for a few days until I looked around and got him a section where there was a section-house and could give him a gang and start him out to work, and about the time he started away this party, by the name of Joe Dalby, told him he could not live in that town and run that section.
 Q. What was the effect on Jones?—A. He left; he said would not work there.

Q. What have you to say in reference to occurrences to Richard Major and others on the 15th?—A. I hired Major and Yarbrough and William Hagen to couple up and coal some engines that Mr. Grove and Mr. Griffin instructed me to get up, and this Dalby followed them down to the yard and said a few words to them and they left.

Q. Was Dalby alone?—A. No, sir; there were three or four with him.

Q. What were the words?—A. They called them "sons of bitches," and told them that they could not stop there and work in that town.

Q. Did they threaten any violence?—A. They said they could not work around there and live in that town.

Q. Were these men undertaking to run the town?—A. Which men?

Q. Dalby and his crowd?—A. From the start they were making they were going to run one end of it.

Q. Has he been arrested?—A. Yes, sir.

Q. Has his trial come off?—A. I cannot tell.

Q. At the time that the officers started to get out trains were you present?—A. Yes, sir.

Q. What occurred?—A. There was one man up on the engine firing and somebody made a remark to him, but I did not hear it, and I do not recollect what it was; but I saw him jump off the engine, and state that he was not going out on that engine while that crowd was around.

Q. Did Robert Taylor endeavor to get them back on the engine?—A. Yes, sir; and Mr. Grove, and the general road-master and myself.

Q. Give the result.—A. Taylor when he saw this fireman get down off the engine, turned round and said to him, if he was a fireman he would stick at his post, and if he did not he ought not to get a position in the United States.

Q. What language was used toward him by the crowd?—A. They said he could not use that engine or fire and live in that town.

Q. Was any offensive language used?—A. They called him a "son of a bitch" two or three times.

Q. Was any threatening language used other than what you have told?—A. Nothing that I recollect now.

Q. Did he receive any offers of protection, and if so from whom?—A. An officer was sent on the engine with him.

Q. Do you mean a deputy marshal?—A. Yes, sir; two or three of them.

Q. And then the engine was run?—A. Yes, sir.

PATRICK ROWAN recalled and examined.

By the CHAIRMAN:

Question. Do you know about the derailment of a passenger train?—Answer. Yes, sir.

Q. Where did it take place?—A. Just about a mile and a quarter from Marshall, here, on the Texas and Pacific.

Q. State how it was caused.—A. On that morning I got up pretty early and went down to the train-dispatcher's office, and they told me that No. 5 was wrecked this morning.

Q. Did you go out and examine the place?—A. I went out there on the switch engine with some of the United States marshals. When we went out there I looked at the place very closely, and found the fish-plates taken off, the spikes pulled and lying on the ends of the ties, and showing plainly that they were pulled by a claw-bar. It showed that they had some work in pulling them, as some of the wood was attached to the back of the spike, which was natural when you pull a spike out of good timber.

Q. Did you see anything else there which would indicate that human hands had caused that derailment?—A. Well, sir, by the way the fish-plates looked I am sure of it. One of them was thrown down under the bridge, and the other one showed, or it looked like it had been wedged in between the rails, so that the wheel hit it and bent it. It held one of the rails from the other.

Q. What is a fish-plate?—A. That is what joins the rails together and splices it with four bolts and nuts.

Q. Holds them together where they join?—A. Yes, sir.

Q. How far was this from the bridge?—A. Just on the bridge.

Q. On the bridge?—A. The engine was on the bridge, but the unrailed coach was not on the bridge. The moved rail was close to the bridge.

Q. Was that passenger train due there at that time?—A. I cannot say; I believe it was due about that time.

Q. About what time was it that that train came along?—A. About 4.35 or 4.40 in the morning.

Q. Do you remember the day of the month?—A. Well, I made a memorandum of it but I have forgotten—the 17th of March.

Q. Was that after the marshals had taken possession?—A. Yes, sir.

CHARLES ROSS sworn and examined.

By the CHAIRMAN :

Question. Were you in the employment of the company previous to the arrival of the deputy marshals?—Answer. Yes, sir.

Q. Were you a Knight of Labor.—A. No, sir.

Q. Had you been in the employment of the company previous to the strike?—A. Yes, sir.

Q. You did not go out on the strike, then?—A. No, sir.

Q. Were you abused by anybody for working in the shops?—A. Yes, sir.

Q. By whom?—A. Walter Hunt.

Q. Who was he?—A. A man who was employed by the car department of the Texas and Pacific Railroad.

Q. Had he gone out on a strike?—A. I believe he had, sir, to the best of my knowledge.

Q. Do you know whether he was a Knight of Labor or not?—A. I do not.

Q. What place did you fill?—A. Yard-master.

Q. Was there anybody in your yard but yourself and Mr. Grove, general road-master, at that time?—A. No, sir.

Q. What threats or abuse did he use toward you?—A. He said that he understood I was doing the work of two or three men and stated that anybody who would do that work under the circumstances would suck a nigger's privates.

Q. Did you say anything to him in reply?—A. I went away from him; I did not care what he said. I was in the discharge of my duties, and proposed to do it.

Q. Did he say anything further to you?—A. No, sir.

Q. (By Mr. BUCHANAN.) How long have you been in the employ of the Texas and Pacific?—A. For about ten years.

DAVID HODGE sworn and examined.

By the CHAIRMAN :

Question. What place did you hold on the Texas and Pacific at the time of the strike?—Answer. I was a machinist's helper.

Q. How long have you been in the employment of the company?—A. About four years.

Q. Did you strike?—A. No, sir.

Q. Were you a Knight of Labor?—A. No, sir.

Q. Were you threatened by any strikers?—A. Yes, sir.

Q. What did they say?—A. They came up to the house and cursed me and abused me for working.

Q. What were the names of the parties?—A. I know two of the names, Jean Angelo and Hamline.

Q. Did they interfere with your remaining at your boarding-house?—A. Yes, sir.

Q. In what way?—A. The fellow that was running the house told me that I would have to leave; that I was going to have trouble, and I would have to leave.

Q. Did you leave?—A. Yes, sir.

Q. Did the man who told you to leave have arms?—A. No, sir.

Q. Did any committee go to the boarding-house?—A. He told me that a committee did go there.

Q. Did you go to another house?—A. Yes, sir.

Q. Did you obtain board there?—A. No, sir.

Q. Why were you refused?—A. The man who kept it said all his boarders were Knights of Labor, and if he took in any man that was working they would all quit.

Q. Where did you go then?—A. To Mr. Smith, an employé of the company.

Q. Are you boarding there now?—A. No, sir.

Q. Where are you boarding now?—A. I am boarding down at the New house.

Q. Why did you not remain boarding at Mr. Smith's?—A. There was a gentleman came there and threatened him that if he did not make me leave there they would make it hotter than hell for them, and they left the same night.

Q. Are you now in the employment of the company?—A. Yes, sir.

Q. In the same position?—A. Yes, sir.

Q. Where do you get your meals?—A. At the New house.

Q. Is that a boarding-house?—A. Yes, sir.

Q. Kept by whom?—A. Mrs. McVeigh.

Q. Did anybody draw a pistol on you?—A. Yes, sir; at the boarding-house on Saturday night, after the 1st of March.

Q. Who was it?—A. It was Quinn, because I was working down there. He told me as soon as we get down back there "you cannot get a job anywhere," and I told him that was my look-out, and he said, "you are a scab, then," and called me a "damned lying son of a bitch," and drew his six-shooter on me, and one of the parties ran and took it from him.

(Q. By Mr. BUCHANAN.) Did you have him arrested?—A. Yes, sir.
 Q. Has his trial come off?—A. No, sir; I believe it comes off in September.
 Q. Was he a special policeman?—A. He said he was there to keep us "poor sons of bitches at work down there quiet."

JOSEPH NIGHT sworn and examined.

By the CHAIRMAN:

Question. Did you go out to call an engineer on his engine?—Answer. Yes, sir.
 Q. What was your business in the employment of the company?—A. I was a caller.
 Q. What is that?—A. Calling engineers and firemen.
 Q. Calling them for engines to go out and notifying them to come and go to work?—A. Yes, sir.
 Q. Did anything happen to you that night?—A. Yes, sir. A fellow hit me and knocked me down.
 Q. What for?—A. I do not know.
 Q. Where did it happen?—A. Down there in front of Peel's restaurant.
 Q. Did he say what he knocked you down for?—A. He ran after he hit me.
 Q. That might have been on account of some personal trouble between you and him?—A. I do not know him; I never saw him before that.
 Q. Do you not know him when you see him?—A. I know him when I see him; I do not know his name.
 Q. Was he in the employ of the company?—A. I do not know.
 Q. Do you know whether he was a striker or not?—A. No, sir; I do not.
 Q. (By Mr. BUCHANAN.) How old are you?—A. Seventeen.
 Q. Was this a grown man that struck you?—A. Yes, sir.
 Q. Would you know him now if you were to see him?—A. Yes, sir.
 Q. Have you made any complaint against him?—A. No, sir.
 Q. Do you know the reason why he struck you?—A. No, sir.
 Q. You were on your way back from calling the engineer?—A. Yes, sir; about half-past 6 in the evening.

PATRICK O'CONNER sworn and examined.

By the CHAIRMAN:

Question. Are you in the employment of the Texas and Pacific Railroad, and if so in what capacity?—Answer. I work in the locomotive department.
 Q. Are you an engineer fireman?—A. I am a hostler.
 Q. Do you know anything of any interference by Henry Stewart ("Frenchy")?—A. Yes, sir.
 Q. When did it occur?—A. It occurred on the 10th of March.
 Q. While the strike was going on?—A. Yes, sir.
 Q. Are you a Knight of Labor?—A. No, sir.
 Q. Did you strike?—A. No, sir.
 Q. Did Stewart strike?—A. Yes, sir.
 Q. Did he go out on a strike? I do not know who Stewart is. Who is Henry Stewart ("Frenchy")?—A. There he is [pointing to a man in the crowd].
 Q. Did he go out on the strike?—A. That is my understanding.
 Q. Was he at work on the 10th of March?—A. Not that I know of, sir.
 Q. Tell us about this interference.—A. Well, I went down to the roundhouse one day and Mr. McGrew told me to take—
 Q. Come to the point. You were directed to do a certain thing?—A. To bring the passenger engine up to the depot, and one of the Knights of Labor jumped on the engine and commenced cursing me.
 Q. Was that at Marshall?—A. Yes, sir; there, down at the depot. And he said he was "a mau." And I told him I did not know but what he was, and he said "God damn you, you are no man." I said, "all right; but get off this engine." And Frenchy jumped on and said, "I will arrest you, sir." I told him I was not afraid of him or anybody else. So they got off and the engine went up.
 Q. Well, was it "Frenchy" that interfered with you?—A. No, sir; it was two of them.
 Q. You say that a Knight of Labor got on and had this talk with you and commenced to curse you on the engine?—A. Yes, sir; there was a fellow came on the engine and I told him to get off, and "Frenchy" jumped up and says, "I will arrest you."
 Q. Arrest whom?—A. Arrest me.
 Q. What was the name of the Knight of Labor who told you that?—A. I think his name is Williams, and I told him that was "all right." I told him I was as good as he, and I told him to get off the engine, and then "Frenchy" jumped on and said, "I

will arrest you." I told Mr. "Frenchy" that I was not afraid of him or anybody that would take his part.

Q. Is "Frenchy" a Knight of Labor?—A. Yes, sir.

Q. Was he a policeman?—A. Yes, sir.

Q. (By Mr. BUCHANAN.) One of these "special policemen"?—A. That is what he said he was; that is him right here.

Q. (By the CHAIRMAN.) How do you know he is a Knight of Labor?—A. He told me.

Q. What was his occupation?—A. He is a fireman.

WILLARD H. FOOT sworn and examined.

By Mr. BUCHANAN:

Question. Do you work for the Texas and Pacific road now?—Answer. Yes, sir.

Q. When did you commence?—A. On the 7th day of March.

Q. In what capacity?—A. I commenced as hostler.

Q. What are you doing now?—A. I am a machinist in the machine shops.

Q. Had you any difficulty with any one after commencing to work with the company?—A. Yes, sir.

Q. What was it?—A. They tried to prevent me working there, and threatened to shoot me and hang me.

Q. Who?—A. I suppose they were Knights of Labor.

Q. Do you know they were Knights of Labor?—A. I do not know that they were; they only took their part.

Q. Do you mean strikers, former employes?—A. They were strikers.

Q. Had you any trouble at your boarding house?—A. Yes, sir.

Q. When?—A. I went to the house one night and I was met in the hall by a crowd of them, and I was told that I could not get any supper there; I asked the proprietor, the landlady, what was the matter, and she told me that she had been requested by the Knights of Labor not to let me board there.

Q. Were you compelled to leave?—A. Well, they said I would have to leave, and she said I could not board there, and I left.

Q. What did they say to you about taking another man's place?—A. They asked me why I had taken another man's place.

Q. What did you say?—A. I said I supposed there was somebody before you, and they said they did not want any supposition about it, and made some insulting remarks on the management.

Q. Did they make any demonstrations of violence?—A. Well, a day or two after that they said it would cost me my life if I went back there to work, and another time, as I was quitting work, a man in effigy was hung on the streets, and they said, "You will be there next."

Q. You went to look after another place to board; did anyone follow you?—A. Yes, sir.

Q. Tell what occurred.—A. Four of them followed me, and on the way they picked up another one and they halloed for me to halt, once or twice.

Q. Did you halt?—A. I did on the second call and then fired off my revolver or pistol.

Q. How often did you fire?—A. Once.

Q. Did they fire on you, or try to do so?—A. No.

Q. You stopped; what then?—A. Yes; I went to back away from them, and at last they came to a standstill and went on preaching their business and that they had come up town to take care of me—and give me a good licking, I suppose.

Q. I simply want what they said. What did they say would be the consequence if you continued to work in the shops?—A. They said if I went back there to work it would cost me my life.

Q. What did you tell them?—A. I do not know that I made them any answer at all, as I remember.

Q. What did they say to you about your coming to them and telling them you wanted work?—A. That is when they surrounded me. They said if I was any man at all, I would come to them and they would have taken care of me and not let a man go to work. I told them it was time enough to do that yet, and they could do it right away.

Q. What did they agree to then?—A. They agreed to give me my supper and a place to sleep and a breakfast and a couple of dollars to get out of town.

Q. (By the CHAIRMAN.) Did you accept that proposition?—A. I took part of it; all but the money.

Q. (By Mr. BUCHANAN.) You took your supper? What became of them after that?—A. I staid with part of them till about 12 o'clock; then I went in the next room to sleep.

Q. What happened in the morning?—A. After I got up in the morning I went to

the roundhouse and told Mr. Dempsey. He told me he wanted me to go to work at Texarkana, and I went.

Q. What happened to you on the way?—A. I believe they would not let the train in.

Q. You came back to Marshall, and then what happened? Had you any trouble?—A. After I came back they abused me a great deal.

Q.—What sort of abuse have you been subjected to since you have been in these shops?—A. More than I have ever taken before. When I would pass them on the streets there would be three, or four or a dozen of them on each corner. Some of them would say, "There goes that damned rat; I wish I had a gun;" or they would say, "There goes a son of a bitch; he ought to be shot;" or something else like that.

Q. Has that occurred more than once when you were passing on the streets?—A. Yes, sir.

Q. About how frequently has it occurred?—A. Every time I met them.

Q. Up to what time?—A. About three weeks ago was the last I heard anything from them.

Q. Where did you live before you came here?—A. My home is in New York.

Q. Are you still in the employ of the company as a machinist?—A. Yes, sir.

Q. (By the CHAIRMAN.) When did all this happen?—A. From March 7 up to about three weeks ago.

Q. When was the first of this?—A. About the 10th of March, I think, and ended about the 10th of April.

MIKE McDONOUGH sworn and examined.

By the CHAIRMAN:

Question. Are you employed by the Texas and Pacific Company?—Answer. Yes, sir.

Q. Were you at the time of the strike?—A. No, sir.

Q. Are you now employed by the company?—A. I have been employed by the company since the strike.

Q. When did you go to work?—A. On the 7th of March.

Q. What place had you with the company?—A. I went down to take charge of the coal shutes.

Q. Do you know anything about a German employed there being beaten?—A. Yes, sir.

Q. Who beat him, and why was he beaten?—A. Well, he was going home at night, after his work, and he was met on the street by a crowd of boys, half-grown boys, that had been at work in the shop; they beat him and kicked him. One of them drew a knife and cut him, and he then got away from them.

Q. Were you there, and did you see any of this?—A. He told me in the morning when he came to work for me.

JOHN KRAUSS sworn and examined.

By the CHAIRMAN:

Question. Were you employed by the railroad company after the strike?—Answer. I went to work for the company on the 9th day of March. I was employed by this company for several years, but I left here and went on to the Missouri Pacific Railroad; I came back on the 9th of March.

Q. What place did you hold on the 9th of March?—A. I worked at the coal shutes.

Q. Are you a Knight of Labor?—A. No, sir.

Q. Were you one?—A. No, sir.

Q. Were you asked to quit the employment of the company by any one?—A. No, sir.

Q. Were you threatened by any one?—A. Yes, sir.

Q. Tell us all about it.—A. I went up town one night, and five young men saw me across the street, and I did not want to pass by them, and I went around so as to avoid them, and as I went between one man and the fence he gave me a kick; I turned around and saw what was going on around there, and a man pulled a knife on me, and I jumped back. He called me "a son of a so and so," and others came up and took him away. I did not have anything to defend myself with against that crowd.

Q. What had you done to these people?—A. Nothing that I know of.

Q. Were they strikers?—A. I cannot tell you; I think they were employed in the shops.

Q. What did they say to you?—A. Well, they just called me "a son of a so and so."

Q. Did they say that they were beating you because you were employed by the company?—A. No, sir; they did not say a word of any kind.

Q. They just beat you, then, without previous notice?—A. Without any notice.

Q. Only one of them assaulted you?—A. Only one.

Q. And the other four took him off?—A. They took him off.

Q. How long had you been in town?—A. I had only been a few days in town.

GEORGE W. RIDDELL, sworn and examined.

By the CHAIRMAN:

Question. Are you in the employment of the Texas and Pacific?—Answer. Yes, sir.

Q. How long have you been in the place you now occupy?—A. Since the 23d day of March.

Q. Are you a Knight of Labor?—A. Yes, sir, I was; I have not heard that I have been expelled, but I suppose I have been expelled.

Q. Where did you come from to work on this road?—A. I came from Dallas.

Q. Did you take the place of some striker?—A. Well, I do not know whether I did or not.

Q. Do you know anything about intimidation or threatening language or threats being made against any of the employes of the company?—A. The day we left Dallas there was quite a number of Knights of Labor and strikers on the platform at Dallas, and they used threatening language towards us.

Q. (By Mr. BUCHANAN.) When did you arrive here?—A. On the 23d day of March.

Q. Was the United States marshal then in possession?—A. He was.

JOHN P. JOHNSON sworn and examined.

By the CHAIRMAN:

Question. You were engaged as a pumper on the Texas and Pacific road, and have been about two years. Were you a Knight of Labor when the strike broke out?—Answer. Yes, sir; I was.

Q. Are you a Knight of Labor now?—A. I do not think I am.

Q. Did you go out on the strike?—A. I did not until I was called out. I did on the 9th.

Q. Who called you out on the strike?—A. A committee waited on me.

Q. Who constituted that committee?—A. I do not know.

Q. Do you not know the names of the men who called on you?—A. A man named Preston was one of them.

Q. Do you know the others?—A. I know them all, but not by name.

Q. How do you know that they were Knights of Labor?—A. I met them in the hall.

Q. What did they say to you?—A. They asked me to stop work.

Q. Did you tell them you would?—A. No, twice I did not; I refused to stop. They waited on me three different times.

Q. The third time what occurred; did you strike then?—A. Yes, sir; I did.

Q. And you did stop?—A. I did.

Q. Have you been working there since then?—A. I stopped off for eight or nine days.

Q. What did you stop for?—A. Because I was asked to do so—told to do so.

Q. Why did you go back?—A. I did not mean to stop work; only I asked permission to lay off for ten days.

Q. Asked permission from whom?—A. Mr. Gilsey, superintendent of the bridge division.

Q. Did he give you permission to lie off?—A. He did not, but his assistant foreman gave me permission to put a man in temporarily so that when I got ready I should get my job.

Q. Was that done?—A. It was.

Q. So you pleased both sides?—A. I suppose so.

Q. Had you any grievance against the company?—A. No, sir.

Q. Did they always treat you well?—A. Yes, sir.

Q. Had you voted on the proposition to assist Martin Irons?—A. No, sir.

Q. Was that proposition voted on by the assembly?—A. No, sir; not that I know of. I have not been in the assembly more than twice this year.

Q. Had Martin Irons any authority to declare a strike unless the local assemblies all over the district voted for it?—A. I do not know.

Q. Did you go back after your leave of absence had expired?—A. Yes, sir.

Q. Were you ever intimidated?—A. No, sir.

Q. Ever threatened?—A. No, sir.

Q. (By Mr. BUCHANAN.) While you remained at work on the company's work, did you see anything of these special policemen that had been appointed for the purpose of protecting the property?—A. No, sir.

Q. Who was in charge of the company's property from the time of the strike until you quit work?—A. I think the railroad company.

Q. It has been testified that forty special policemen were sworn in for the protection of the company's property. Were they around the property?—A. I cannot say.

Q. Would you have seen them if they had been there in such numbers?—A. I do not know.

Q. Were any of them around your shop or yard?—A. No, sir.

ANGEL R. PRICE sworn and examined.

By Mr. PARKER:

Question. When did you commence working for the Texas and Pacific road?—Answer. On March 17.

Q. Were you then and had you been a Knight of Labor?—A. No, sir.

Q. What work did you do?—A. I went to work for Mr. Crosby, repairing cars.

Q. At what else did you work?—A. I was transferred to the paint shop and worked there.

Q. Were any threats made against you, or was any notice to quit given to you?—A. Yes, sir.

Q. You may describe what was done.—A. As I was coming back from the post-office, where I had gone to get my mail, I and a couple of other men who were with me met eight or ten of them.

Q. Eight or ten of whom?—A. I do not know who they were.

Q. Were they men or boys?—A. Men.

Q. Did they talk with you?—A. A few first ran in before us and halloed "rats!" and all the others began to hallo "rats!" and then threw rocks at us, and called us "sons of bitches" and "scabs," and made other remarks.

Q. What further?—A. That was about all. We just kept going on, and they kept following us, as far as I saw.

Q. Did the stones hit any of you?—A. One of them hit me on the heel.

Q. Were any other threats made to you, or was violence used upon you?—A. Not at that time.

Q. At any other time?—A. Yes, sir. On Sunday evening, about six, eight, or ten days before that.

Q. About what was the date when this matter occurred as you came from the post-office, that you have described?—A. That was about the 24th of March.

Q. And this was about a week earlier?—A. Yes, sir.

Q. Go on and describe it.—A. I had been sent out to do some work, and in coming back I met Tom Preston, and another gentleman with him. Tom Preston just remarked, "Hallo, Bob, you have been out at work?" and that other fellow opened his knife and said, "Yes; you are a G-d d—d scab and a son of a bitch;" and I took it and did not say anything to him. I knew Tom Preston; he had never said anything.

Q. You did not know whether he was a striker?—A. Yes, sir; I knew Tom Preston was a striker, but the man who did this I did not know.

LAFAYETTE BUTLER sworn and examined.

By Mr. PARKER:

Question. You reside at Marshall?—Answer. Yes, sir.

Q. Were you here at the time of the strike?—A. Yes, sir.

Q. Did you strike also?—A. I was quarantined at that time, and for a week afterwards.

Q. And when you came out of quarantine, did you strike?—A. The shops were not running.

Q. You quit work for a time?—A. Well, yes; I did for a little while.

Q. How long?—A. Until the 27th of March, I think.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Are you now?—A. I do not know whether I am or not. They notified me that if I did not quit work I would be expelled.

Q. What occurred as to any disturbance or abuse received by you after you went to work?—A. Well, I never was abused but by one person.

Q. After you went to work in the shop?—A. Yes, sir.

Q. Who was it?—A. I would rather not mention his name: he was a striker.

Q. Was he a Knight of Labor?—A. Yes, sir.

Q. State the abuse.—A. He called me hard names.

Q. Similar names to those given by the last witness?—A. Yes, sir.

Q. Did you receive any other abuse at any other time since you have been at work for the company?—A. Yes, sir. I was called a scab, or something of that kind.

Q. State whether you were called upon and notified to quit work after you began.—A. Yes, sir. That is why I do not know whether I am a member of the Knights of Labor now. I received a notice.

Q. In writing?—A. Yes, sir.

Q. Have you it with you?—A. No, sir; I have not.

Q. What was that, substantially?—A. By order of the executive board, unless I quit work I would be expelled from the order.

Q. Was the seal of the local assembly upon it?—A. I think it was; I will not state positively.

JAMES A. DURKEE sworn and examined.

By Mr. BUCHANAN:

Question. Where do you live?—Answer. I live in Marshall.

Q. How long have you lived here?—A. About twenty years.

Q. Are you employed by the Texas and Pacific Company?—A. Yes, sir.

Q. And have been for how long?—A. I have worked for this road about eighteen years. I think part of the time for the Southern Pacific.

Q. Did you go out on the strike?—A. Yes, sir; reluctantly I did.

Q. And remained out how long?—A. I think it was about three weeks.

Q. You say "reluctantly." Why did you use that term?—A. Of course I was forced to go out, you know.

Q. You were opposed to going out?—A. Yes, sir; I was opposed to going out.

Q. Well, why did you go out?—A. Well, I knew I would not be safe to stay there and work; I knew they would beat me up.

Q. What reason was given to you for quitting work? What reason was given for the strike?—A. I understand the strike was because Mr. Hall was discharged, sir.

Q. Did you ever hear any other reason prior to your going out?—A. No, sir; and I have never heard of any other. I inquired what the cause was this evening.

Q. Did you ever hear any other cause assigned for the strike than the discharge of Mr. Hall?—A. I never have, sir.

Q. Had you been left to act of your own free will would you have struck?—A. No, sir; I would not.

Q. You were out about three weeks?—A. Yes, sir.

Q. And then returned to your work?—A. Yes, sir.

Q. And you are still at work?—A. Yes, sir.

Q. Have you received any notices or requests to quit work?—A. I received notice from the Knights of Labor to stop work at once after I went to work.

Q. Was any reason given why you should stop work?—A. To the best of my recollection now, it was that I would be expelled from the order if I did not quit work, or something of that kind.

Q. Did you quit work?—A. No, sir.

Q. Have you been expelled?—A. I do not know, sir, whether I have or not.

Q. You have received no notice?—A. I have received no notice.

Q. Have you been threatened or intimidated by any of the strikers?—A. Some of them have talked a little rough to me; but that, of course, was no intimidation to me, sir.

Q. When you say a "little rough," tell us what you mean more definitely?—A. Well, "a son of a bitch" is pretty rough, you know.

Q. Did they call you that?—A. Yes, sir.

Q. Any other opprobrious names?—A. Well, sir, I do not know; they called me several ugly names; I do not recollect. Of course, I have had a heap to contend with, and contended with a great many persons; they talked pretty rough and ugly, but that was no intimidation to me; it was not enough to cause me to stop work.

Q. You did not fear them?—A. No, sir; I did not.

Q. Did you return to work before the marshal took possession of the works here?—A. The last pay-day I just had in five days.

Q. It was on the 1st of May, was it?—A. No; the last pay-day is nearly a month back now. I just had got five days; that would put me in there about the 26th of March.

Q. Were you about the company's yard and roundhouses, and other property from the time of the strike until the time when the marshal took possession?—A. I was down there.

Q. Were you one of the special policemen?—A. No, sir; I was not.

Q. Did you see special policemen on guard?—A. I saw some men around there; I do not know whether they were special policemen or not.

Q. It has been testified that forty special policemen were sworn in for the purpose of protecting the property?—A. I understand there were.

Q. You did not observe it from their being around the works?—A. No, sir.

Q. (By Mr. PARKER.) How long have you known C. A. Hall?—A. Ever since he has been here.

Q. And about how long is that?—A. I do not recollect exactly how long he has been here. Probably four or five years, and maybe not so long.

Q. Did you know the man who was there before Hall took that place?—A. Yes, sir.

Q. And the man that preceded him and Hall?—A. Yes, sir.

Q. Now, in your judgment, what was Hall's capacity as a mechanic in that place?—A. Well, sir, of course Mr. Hall was not able to fill that place.

Q. He was not?—A. No, sir.

Q. Were you assaulted at any time yourself?—A. Nothing more than what I have related, sir.

* Q. (By the CHAIRMAN.) I will ask you what is Mr. Crosby's competency. Do you consider him competent?—A. Do you want me to answer that question?

Q. Yes, answer the question.—A. Well, sir, I know what the master mechanic and I know what the general foreman said about him.

Q. I do not care anything about that. Answer the question.—A. All right, sir; I will not go any further than that. I know he is not competent.

Q. Mr. Crosby?—A. No, sir.

WILLIAM MARNEY sworn and examined.

By the CHAIRMAN:

Question. Were you a Knight of Labor when the strike broke out?—Answer. Yes, sir.

Q. Are you one now?—A. I do not think I am, sir.

Q. Did you return to work?—A. I was not in the employment of the company when the strike occurred.

Q. Then, of course, you did not go out on a strike. Have you sought employment since the strike?—A. Yes, sir.

Q. Were you employed?—A. Yes, sir.

Q. Are you working in the shop now?—A. Yes, sir.

Q. When did you go to work?—A. The 6th of last month.

Q. Have you been cursed and abused by the strikers because you went to work?—A. No, sir.

Q. Do you know of any act of intimidation by the strikers against the parties who went to work?—A. I saw some persons have a difficulty.

Q. Who were they?—A. I saw Mr. Price.

Q. Dan Price?—A. Yes, sir.

DANIEL MILLORY sworn and examined.

By Mr. PARKER:

Question. Were you employed by the Texas and Pacific Company in March last?—Answer. Yes, sir.

Q. In what capacity?—A. As a machinist.

Q. How long had you been so employed?—A. Two years and four months.

Q. Did you go out on the strike?—A. Yes, sir.

Q. Were you then a Knight of Labor?—A. Yes, sir.

Q. Did you afterwards return to your work?—A. I did.

Q. About what time?—A. About the 1st of April.

Q. What was the occasion of your return?—A. Well, you do not wish me to go into the details of the order.

Q. I want to know if it was on account of Mr. Powderly's order?—A. Yes, sir.

Q. It was upon that?—A. That was what it was.

Q. And you went to work?—A. Yes, sir.

Q. And you have been at work ever since?—A. Yes, sir.

Q. Are you a Knight of Labor?—A. No, sir; I was, but I retired.

Q. Voluntarily or under solicitation?—A. I was solicited, but I retired.

Q. You were solicited to retire?—A. I was solicited to quit work.

Q. And instead of quitting work you became disconnected with the order?—A. Yes, sir.

Q. Had you an interview at any time with Martin Irons as to the Hall matter?—A. Well, I think you are going into the business of the order that I formerly belonged to, and I certainly would not like to injure my obligation.

Q. I do not want to inquire into anything that occurred in the hall of the assembly; but I want you to state any interview that occurred with the officers of the road, and I do not think that will fall within your obligation. I do not want you to state anything that you deem to be a secret of the order.—A. I cannot remember anything particularly.

Q. Respecting this question, were you one of the local grievance committee?—A. Yes, sir.

Q. Had you Hall's matter in charge, in part?—A. Yes, sir.

Q. Had you the assistance of Mr. Irons in that matter in the negotiation of it with Mr. Brown and others?—A. No, sir; I was not in company with Irons.

Q. What action did you take as a member of the local grievance committee?—A. What action did I take?

Q. Yes, sir.—A. You are going a little into the details.

Q. I do not mean in the assembly, but as connected with the railroad officials.

The CHAIRMAN. Mr. Litchman, as representative of the Knights of Labor under direction of Mr. Powderly, says he has no objection to your answering the question.

Q. (By Mr. PARKER.) State what was said about any alleged grievance.—A. Previous to the grievance of Mr. Hall being placed in the hands of the executive committee I had proposed that a committee of employes be appointed to go to Dallas and see if it could not be settled without going any further. I had a dislike to a strike.

Q. Did you prepare to go to Dallas with the others?—A. No, sir; I proposed that, but it was rejected.

Q. Rejected by whom?—A. Rejected by the majority of the committee.

Q. Who were the committee?—A. Well, I really cannot remember now. Mr Bibb was one.

Q. Did you go to Dallas?—A. I went to Dallas on a previous occasion.

Q. In connection with Hall's matter?—A. No, sir.

Q. Was anything more done here in regard to Hall's matter?—A. It was then placed in the hands of the executive board and Martin Irons, and he ordered the strike.

Q. And that covers all of it?—A. That is it.

Q. Was there any other grievance involved in this strike, to your knowledge, than Hall's case?—A. There were two grievances that had been transferred from Mr. Cumming. Mr. Cumming had them in hand previous to his leaving here, and we wished to come to a settlement about these two questions, but we have never arrived at it.

Q. Did you understand that the strike was on account of both of these grievances?—A. I believe these two were included. They were not mentioned, but I believe these two were included by the executive at the same time as Hall's discharge.

Q. What were these?—A. One was because a man named Bassett had been discharged, and the other question was in regard to the increased wages of the bridge men.

Q. And these three points of grievance were all that you heard of?—A. So far as I know of. But the principal cause was Hall's case. That was the first cause.

Q. Why was not a strike ordered in Bassett's case as there was in Hall's case?—A. I believe it originated with that.

Q. Was not the strike as ordered by Martin Irons in form based upon Hall's case?—A. Yes, sir; that was; there was another cause. It was that they wanted recognition of former agreements. They wished these agreements to be recognized, and they were not recognized, and we wanted the receivers to recognize them.

Q. That was not set up as one of the grounds of the strike, or that the order for the strike was based on?—A. Not to my knowing.

Q. In the order to the Knights of Labor to strike that was not one of the grounds stated, was it?—A. That was understood. It was not mentioned in the order.

Q. It was not understood among the men, not talked of, not in the grounds of the order for the strike?—A. Not to my understanding.

Q. Was it not, in your judgment, a mistake that this matter of Mr. Hall's was transferred to District 101?—A. I think it should have been settled with a committee of the employes alone. If we could not settle it, then transfer it to the executive.

Q. Do you not believe that if your committee had gone to Dallas and negotiated with the railroad officials in the matter you could have settled it without this strike?—A. I have thought before that no satisfactory decision might be arrived at by referring it to Martin Irons.

Q. I am requested on the part of the Knights of Labor to ask you if you did not go to Dallas to present grievances upon the Hayes agreement and other agreements?—A. No, sir; I did not know there were any other grievances when I went to Dallas. I went very largely to see if we could not persuade the receivers to come to some agreement about indorsing the former agreement that we had been working under ever since the last strike. That was what I was to see them about.

Q. Did you negotiate upon that matter?—A. No, sir. Unfortunately Governor Brown's brother's death occurred at the time, and he was away at the funeral. I saw Colonel Noble, and I remained there several days, and Colonel Noble advised me to go home; that it was uncertain what time Governor Brown would return.

Q. That was the end of that matter?—A. No, sir.

Q. What more was done?—A. On my arrival here we had a meeting and a letter was sent, asking the same favor from the receivers to indorse these former agreements.

Q. Was that request to indorse them as they were written or to indorse them as you understood them?—A. The local committee, from what I understood, wished to get terms, and to have agreements of some kind whereby we might be regulated. We thought these agreements as they stood were not exactly to their wish, and we were willing to listen to any alteration that they might think fit to offer.

Q. Did you present the agreement as a basis for the readjustment?—A. Yes, sir; and left it with Colonel Noble.

Q. Have you any knowledge that they ever acted upon it? Did you hear anything further from it?—A. Yes, sir; the chairman of the committee received a letter from the receivers stating that they had no power nor authority to enter upon any agreements, and that all former contracts were null and void.

Q. With whom did you leave those papers?—A. With Colonel Noble.

Q. Did the propositions in the agreements contain seven points?—A. Seven; I do not remember exactly how many.

Q. You may look at that and see if that is a copy of the letter [this paper is understood to be a copy of the one presented by Governor Brown in his testimony, to which reference is made containing the seven propositions]. Was this the letter that was sent?—A. Yes, sir.

(Witness handed the original of the letter, which was made a part of the record.)

MARSHALL, TEX., *January 2, 1886.*

TO HON. J. C. BROWN and LIONEL A. SHELDON:

GENTLEMEN: The copy of agreements left by us in the hands of Colonel Noble for your perusal and consideration are nothing new, and were entered into to create a better understanding between the officers of the road and the employes, in order that a state of harmony might be promoted, that the confidence of both officers and employes in each other might be strengthened, and that any tendency towards any dispute might be amicably arranged in a spirit of fair impartiality for the general good of both the company and their employes governed by these agreements.

We have found them to have been well adapted for what they were originally intended. They have been the means on several occasions of preventing serious trouble, and producing peace instead of war, by a friendly arbitration on the basis of the agreements.

In every well-ordered institution a code of regulations, properly understood and truly conducted, is desirable for the good order and the success of that institution, whether it be the simple domestic family of home or the more extensive family of the railroad.

It would give us great pleasure to learn from you that you are willing to indorse these agreements, thus you would continue our confidence in a hearty co-operation between the officers and employes which will ultimately result in benefit to the company and satisfactory to all concerned.

We desire to express to you our sympathy with you and the company in these days of difficulties, and it will be our endeavor to assist you all we can by a faithful diligence in the various duties we are called upon to perform, and we sincerely hope that the dark cloud of adversity which has hung over the T. P. will soon pass over and prosperity shine on her more brilliantly than ever, and long continue. Much success we all most heartily wish you.

Yours, most obediently,

The Committee:

A. GILMORE.
W. N. MOORE.
D. MYBREA.
GEORGE TAMSITT, JR.
M. J. MANNING.
E. P. RICHARDSON.
R. DAVIDGE.
A. L. PUGH.
HARRY CREAG.
GEO. N. BIBB.
J. W. LITTLE.
C. A. HALL.
W. W. MILLER.
C. A. JOHNSTON.

Q. (By the CHAIRMAN.) Did you read that letter?—A. Yes, sir.

Q. (By Mr. PARKER.) Was that letter delivered with the Hayes agreement and certain articles attached?—A. Yes, sir; it was sent the same as this.

Q. Were not they all sent together?—A. The letter was sent afterwards; after I returned from Dallas.

Q. And the papers that were left there did refer to the Hayes agreement and the proposed changes contained in the seven articles which were attached?—A. Yes, sir.

Q. Have you the reply which was sent to that?—A. The recording secretary of the assembly here will have it.

Q. (By the CHAIRMAN.) By the Hayes agreement you mean the agreement that was proposed by the governors of Missouri and Kansas?—A. That is what is meant by the Hayes agreement.

Q. (By Mr. PARKER.) Can you tell how it occurred that the letter which you thought you sent after you came back is dated January 2, while the paper with the seven articles is dated January 26?—A. I believe there was a mistake in the copy of the letter. I think that was wrong.

Q. That should have been February 2?—A. There was an error in the copy; I think that it should have been February.

Q. Are you the man that wrote the circular that was called "The spark which kindled the conflagration"?—A. I take the responsibility to myself that I was.

Q. Will you give us a copy of it?—A. I have not got one.

Q. Is this it [exhibiting circular to witness]?—A. That is the one.

Q. This was your composition and writing?—A. Most of it; I hold myself responsible.

Q. Who assisted you?—A. That I do not tell.

Q. (By the CHAIRMAN.) Who helped you prepare that circular?—A. I do not think that is a legal question.

Q. You do not answer. Who is to be the judge of that?—A. Well, I do not see what good it will do.

Q. That is not your affair. We are here to investigate the cause of this strike, and we are trying to get at the bottom facts. Who helped you to compose that circular?—A. Well, I object to tell.

Q. Why do you object to tell it?—A. I had pledged my word not to tell.

Q. Suppose a man committed a murder and you had pledged your word; would you refuse to tell?—A. But I would not pledge my word in a case of that kind.

Q. Suppose you did.—A. That would suppose what cannot be.

Q. I do not know but that it might be. This strike has been attended with the killing of people in some places.—A. I did not see any killing.

Q. (By Mr. PARKER.) You remember the commencement of your testimony?—A. Yes, sir.

Q. Were you sworn?—A. Yes, sir.

Q. Did you swear in the presence of Almighty God that you would swear the truth and the whole truth?—A. Yes, sir.

Q. Who assisted you in the composition of this letter?—A. I say I will take the responsibility all on myself. That is as far as I can go.

Q. That does not answer nor refuse to answer. I require that you shall answer or refuse to answer. What do you say?—A. I believe that Mr. Bibb was the one that assisted me.

Q. What is his name?—A. It is that gentleman there [pointing]. George, I think.

Q. Who else?—A. I think I do not know of anybody else.

Q. Have you any other document of this character that you can give us?—A. I have none, sir.

Q. What part of the world were you born?—A. I was born in the Isle of Man, in Europe.

Q. What wages are you now receiving from this company?—A. Two dollars and seventy-five cents per day.

Q. What is your work?—A. Machinist.

Q. How long have you received those wages?—A. I got that when I first came here. When I commenced with the company at first I received that wage. Then we had a reduction, and then, after the last strike, we got reinstated to our former price.

Q. You went back on Mr. Powderly's letter?—A. That was the first cause.

Q. With which you complied?—A. Yes, sir.

Q. And you are not now a member of the order?—A. No, sir.

(The circular was here put in evidence.)

THE SPARK WHICH KINDLED THE CONFLAGRATION.

It is rumored by some newspaper reporters that the immediate cause of the strike on the Texas and Pacific Railway was the discharge of C. A. Hall, foreman of a car department at Marshall, Tex., for obtaining leave of absence to attend delegate meeting of District Assembly No. 101, at Marshall, for three or four hours, and that he remained absent for four days.

This is a mean, false, and untruthful report, and only intensifies the feelings of disgust of the employes who know the true facts, and strengthens their determination to show to the world that truth shall and must prevail, notwithstanding Governor Brown's determination not to have the matter fully and fairly investigated.

On February 14, 1886, C. A. Hall asked for leave of absence to attend the meetings, and if he could not get leave of absence he would not go. It might be for two or three days, and he would be in the shop two or three hours per day. J. A. Crosbie, general foreman, said all right, which can, by evidence, be proved to the satisfaction of any court of justice. On the third evening Hall was discharged for being absent without leave, although he had attended shop two or three hours per day. A committee interviewed Mr. Crosbie and told him they could prove that he had granted Hall permission as stated. Crosbie then said that did not matter, as Hall was incompetent, and could not work there again. Committee addressed Mr. Watts, master mechanic, on the case, and he would not interfere. Crosbie was again interviewed.

The same result. Committee then placed the matter in the hands of the executive board, which was then in session. Judge Pardee promised the executive board that he would send a man to Marshall to investigate the case. The executive board waited four days, did all they could to obtain an investigation, were ignored, and failed to obtain one. Hence the strike!

The greatest strike the world ever beheld, just because Governor Brown would not recognize the right of the Knights of Labor to ask for an investigation of as base a lie as was ever invented.

Capital may lose its millions, labor lose its millions, and the general public greatly inconvenienced! All to cover a lie that will not bear exposure. We have truth, honor, and honesty of purpose on our side, and only ask for justice; and that we must have or fight to the bitter end.

Now that the strike has increased to its present dimensions, no doubt each assembly will have some grievance to be redressed; and the longer this strike lasts, the more it will enlarge, and new difficulties must consequently arise. Where will it end? Loss, misery, death. We are prepared; but truth and justice must be meted out to the poor laborer as much as to the receiver of any court. The laws and courts of this country were never intended to be used as tools for the benefit of railroad monopolists against the honest labor and horny-handed men of toil, who are the bone and sinew and creators of the vast wealth of this Great Republic of the Stars and Stripes.

KNIGHTS OF LABOR.

MARSHALL, TEX., *March 9, 1886.*

Q. (By the CHAIRMAN.) How did Mr. Bibb assist you in preparing that circular?—A. In giving me information and in prompting me.

Q. Do you mean he stood by you?—A. He had one partly written before I began.

Q. (By Mr. BUCHANAN.) You were a member of the local grievance committee at the time that this strike was ordered?—A. Yes, sir.

Q. As such member it was your duty to take charge of and investigate grievances handed over to you by the assembly?—A. Occasionally.

Q. I do not ask whether they were handed to you occasionally, but was it your duty?—A. Whenever it was handed to me it was.

Q. Is it not a part of the duty of that committee to investigate the grievances?—

A. The appointment is not a standing grievance committee. The grievance is brought into the committee, and that committee appoints a subcommittee. Sometimes I am on the subcommittee, and then sometimes I am not.

Q. Was this Hall grievance handed to you?—A. No, sir; I was one of the whole committee, and not of the subcommittee.

Q. It was not handed in to the full committee?—A. Yes, sir.

Q. You were not a member of the subcommittee appointed on that?—A. No, sir.

Q. What time did that reach your full committee—what month?—A. It was in February.

Q. Early in February?—A. I cannot remember the date. It was the date the convention was here.

Q. When that grievance about Mr. Hall was handed to your full committee, do you know what was done with it?—A. It was discussed, and it was placed, I think too early, in the hands of Martin Irons.

Q. It was discussed and placed, as you think, too early in the hands of Martin Irons?—A. Yes, sir.

Q. Of the district committee?—A. Yes, sir.

Q. Is that all that your local grievance committee did with the grievance of Mr. Hall?—A. The subcommittee; they did the work principally.

Q. What did they do?—A. The subcommittee?

Q. Yes.—A. They went to see Mr. Crosby and went to see Mr. Watts, and they reported back to the full committee.

Q. Then what did the full committee do?—A. The full committee sent for Mr. Crosby. He came, and was examined by the committee, and we tried all we could—

Q. Please do not answer that way; tell me what you did. Is that all?—A. We had him here and examined him, and could not get the thing settled just there, and then I think we had another meeting, and then it was handed over to Martin Irons.

Q. Is that all that this local committee did?—A. That is all that I can recollect. If anything else can be brought to my mind I will say what it was.

Q. What was done about the proposition to go to Dallas and see Governor Brown by the full committee?—A. I proposed it the very last day.

Q. Were not passes given for that purpose?—A. It was said that they were.

Q. What was done with your proposition to see Governor Brown on the matter?—A. It was rejected.

Q. On what ground?—A. They said that the district committee were here and they would hand it in to them.

Q. But is it not the duty of the local committee to see that every effort is used to

have the matter adjusted before placing it in the hands of the district committee?—
A. Yes, sir.

Q. Then, why did not the local committee go to see Governor Brown at Dallas, as suggested, and, as has been signified, avail yourselves of his willingness to meet you?—
A. I cannot say what the real reasons were. Only they rejected the proposition and gave it to the district committee.

Q. Then you surrendered jurisdiction of this subject before you exhausted every effort in your power to have it adjusted?—A. Yes, sir.

Q. That is what you mean when you say it was handed over to Martin Irons too soon?—A. Yes, sir; too early.

Q. You had not exhausted every effort before submitting it to Martin Irons?—A. The committee did. I did what I could.

Q. You were overruled in your suggestions by the committee?—A. Yes, sir.

Q. Was the proposition submitted to the local assembly to vote whether they would or would not sustain your district committee upon the grievance of Mr. Hall, the only grievance stated?—A. The only grievance stated? Yes, sir.

Q. And have you stated the only reason that was given in any session of your local committee by any member of that committee for not going to Dallas? Have you stated every reason that was urged in the sessions of your local committee by any member for not going to Dallas?—A. Yes, sir; to the best of my recollection that is so; I not only made that suggestion to the committee, but also made it known after the men had all come from their work that we did it altogether for Mr. Hall.

Q. You not only made that suggestion to the committee but also to the whole assembly, and your suggestion was rejected?—A. It was rejected again by the full meeting.

Q. Did you say the district assembly was in session at the time?—A. The district assembly had just closed their session, but the district committee had not returned home. It was on the last day of the session that Mr. Hall got his discharge.

Q. Was the idea of the local committee that, as the district committee was here, they might as well turn it over to them at once?—A. Yes, sir; before they left town it was handed over to them.

Q. (By Mr. PARKER.) Was it not understood among the union men here that there was to be a strike the 1st of May, in any event?—A. That has been talked of for a long time.

Q. For about how long?—A. I think five or six months; that has been spoken of, but never decided.

Q. Was the time about the 1st of May when it was expected there would be a strike?—A. Well, the strike that was spoken of then was agitated by the labor journals and labor papers. It was a matter agitated by those papers more than by the men themselves. It had been discussed pretty often. It was the eight-hour question. It had been occasionally a theme of discussion in our assembly from time to time, but there never had been any decision about the matter.

Q. Was there ever, to your knowledge, a movement of the members or officers of the order, or was there any intention or preparation to strike about the 1st of May, or any time near that time, upon what is known as the eight-hour movement?—A. Not that I am aware of. And the Knights of Labor have not as a body been in favor of the eight-hour idea. They do not think the time has yet arrived for that.

EDWIN J. FRY sworn and examined.

By Mr. BUCHANAN:

Question. How long have you been a citizen of Marshall?—Answer. Twelve or fourteen years.

Q. What knowledge have you, if any, as to the cause of the strike on the Texas and Pacific Railroad?—A. I was one of the citizens' committee appointed to try and adjust the differences, if possible, between the employes and receivers.

Q. Appointed by whom?—A. By a meeting of the citizens.

Q. A public meeting?—A. Yes, sir.

Q. Did you proceed to discharge the object of your appointment?—A. Yes, sir.

Q. Which party did you first see?—A. The executive committee of the Knights of Labor.

Q. Headed by whom?—A. Martin Irons.

Q. What did they state to you was their grievance?—A. They stated their grievance was the discharge of C. A. Hall, the discharge of J. O. Bassett, a former conductor, previous to the appointment of the receiver, and they also demanded that certain bridge-men should be given some extra pay, or additional pay, which they said had never been done under the Hayes agreement.

Q. Who was the spokesman of the committee?—A. Martin Irons.

Q. Did he represent himself as an employe of the Texas and Pacific?—A. No, sir.

Q. What did he say, if anything, about his official position?—A. That he was district master, or something of that kind, of the district assembly of Knights of Labor.

Q. Assembly No. 101?—A. I think that was the assembly that he claimed to be from.

Q. You were there for the purpose of ascertaining what their grievances were, and upon what issues he signed the order for the strike?—A. Yes, sir.

Q. What conditions were stated?—A. The reinstatement of Hall.

Q. Did they demand that the receivers reinstate him as foreman?—A. That he be given his employment in the shops.

Q. What did they demand as to the reinstatement of Mr. Bassett?—A. That he be reinstated as conductor.

Q. Were there any other conditions?—A. Something in regard to a bridge gang, but I never understood that fully myself.

Q. What did your committee and what did you say?—A. We sent two or three telegrams to Governor Brown.

Q. Did you confer with the receivers?—A. Only by telegraph; I believe the first telegram was to Governor Brown, to know if he would confer with us.

Q. We already have those telegrams that I presume you refer to; did you make any proposition to Mr. Irons, and, if so, what?—A. Yes, sir; after the strike we proposed two or three times to order the men back to work; we thought the committee could have better grounds to get concessions from the receivers, if the men went back to work.

Q. Did he ask for time to consider the matter?—A. Yes, sir.

Q. Did you see him at the end of the appointed time?—A. Yes, sir; he asked time to consider the first day that we had the conversation until that night.

Q. Was the proposition accepted or rejected?—A. It was rejected; then on the second day afterwards we renewed the proposition, and he said that if Governor Brown would hear the grievances of the men aggrieved, he would order the men back to work.

Q. Then followed your telegram to ask if he would receive your committee, and then came a reply? Did Governor Brown and Governor Sheldon refuse to hear any grievances from any of their men, so far as your knowledge goes?—A. No, sir.

Q. Do you know what influences prevented the men from going to work?—A. That no order to return to work had been given by Mr. Irons, and were not to be, until their grievances had been settled.

Q. Had you any further conversation with Martin Irons besides that you have already related?—A. Well, I had three or four conversations with him as to the way that the strike arose.

Q. Did you at any time hear Mr. Irons allege any reason, outside of the one that you have stated, for the strike?—A. None whatever.

Q. Have you heard any one of the strikers at any time allege any other reason for the strike?—A. I think Martin Irons, in conversation with me, said that the matter had to be settled through him; that they had to recognize him as an official of the Knights of Labor, or something to that effect.

Q. When you asked him to return the men to the shops, what reason, if any, beside what you have given, did he give for not complying?—A. After receiving Governor Brown's telegram? I have not seen him since.

Q. Before he promised he would if Governor Brown's telegram was satisfactory?—A. He did not meet the committee at all after the telegram was received.

JAMES FINK sworn and examined.

By Mr. PARKER:

Question: You were switch engineer at Marshall and a Knight of Labor?—Answer. I was.

Q. Were you ordered by any one at any time not to move freight cars, and, if any were attached to your engine, not to move them?—A. I was.

Q. By whom were you so directed?—A. By a committee of the Knights of Labor.

Q. Can you name either of them?—A. Stewart—Henry, I think, is his name.

Q. Any other, do you remember?—A. Not any.

Q. What occurred?—A. I got off the engine.

Q. Did they require you to switch freight cars?—A. They did.

Q. And you got off the engine and left it?—A. I did.

Q. How long did you remain without employment?—A. Four or five days.

Q. Did you leave the engine because of this order from them?—A. I did.

Q. Did you return after four or five days?—A. I did.

Q. What was the agreement or assurance of work by the company? What did the company promise you to induce you to begin? Was it protection, or anything of that kind?—A. They did not promise me anything, but gave me my job back.

Q. And you took it and went to work and remained at work ever since?—A. Yes, sir.

Q. (By Mr. BUCHANAN.) Was this order that you got from the committee in writing?—A. It was not.

Q. Given to you by a man just verbally?—A. It was.

Q. At the yard?—A. Yes, sir.

Q. How long after the strike commenced?—A. The day of the strike or the day after; I think it was the day after; or it was somewhere along there.

Q. And it was solely because of that order you left that engine and that you left your train standing there?—A. Yes, sir; I did.

Q. Where would the train have gone?—A. It was not a train; it was on the house track, switching cars there.

Q. Did you stop the work?—A. I did.

Q. And the carrying of cars was interrupted by your stopping?—A. I suppose it was to a certain extent.

Q. This happened on the yards of the company?—A. Yes, sir.

Q. How many special policemen were stationed there at that time to protect the property of the company?—A. There were not any. There was some Knights of Labor; I could not see any officers if they were there.

Q. Did they take any steps to see that the property of the company was kept in its legitimate use?—A. I cannot say.

Q. They took no steps to protect you?—A. Not that I know of.

Q. (By Mr. PARKER.) Are you still a Knight of Labor?—No, sir, I am not.

Q. How were you disconnected from them?—A. Well, I tried to get back; I tried to have their permission to go back. They would not give it; and I just saw it was taking bread and butter out of my mouth. I could not stand it, and I withdrew from them and went back to work.

Q. Were you required to leave the Knights of Labor when you went back?—A. I did it of my own free will. I just went to the master workman and told him that I wished a withdrawal from the order; that I had to go back to work.

Q. Were you asked by anybody to withdraw from the Knights of Labor?—A. No, sir; I was not.

Q. Were you asked by anybody to get a withdrawal card from them?—A. I was not; but let me see. I believe I got a letter. I do not remember now what it said, though.

Q. State its contents as near as you can.—A. I cannot remember; but it stated if I did not quit work I would be expelled from the order. I cannot remember exactly how it was.

Q. A regular notice with the seal of the order attached?—A. Yes, sir; it was.

Q. Have you heard anything from it since then?—A. No, sir.

Q. Was the man who notified you to quit work "Frenchy," as he is called—was he then a policeman?—A. I cannot say.

JEREMIAH E. MERRITT sworn and examined.

By Mr. BUCHANAN:

Question. Give your position in the employ of the Texas and Pacific Railroad Company.—Answer. I am chief clerk in the locomotive and car department of the master mechanic, sir.

Q. How long have you been in the employ of the company?—A. Since September 21, 1881.

Q. Have you heard the men who went out on strike assign the reasons for their going out?—A. The only reason that I could hear was that it was caused by the dismissal of C. A. Hall, foreman of the car shop.

Q. Have you had conversations with the strikers since they struck about the cause?—A. Just while passing about on the streets, and such as that.

Q. And would you hear them talking about their grievances?—A. I have approached one or two and asked them what were their grievances. They said their only grievances, that they could see, was about the Hall case.

Q. Did you hear anything about any agreement being broken by the receivers with their employes?—A. No, sir.

Q. Would you have any opportunity of knowing their troubles about pay, if they arose, and whether they were adjusted or not?—A. Yes, sir.

Q. Would you have opportunity of knowing that from your official position?—A. Yes, sir.

Q. What was the practice in reference to that? If a man was promised a raise did he get it?—A. He always got it.

Q. If a man sometimes did not, what then?—A. If he could show he had been promised an increase, and it was overlooked, he would be given enough hours in the next month to make it up.

Q. Are you prepared from your official position to state whether difficulties of that sort were always adjusted?—A. I am.

Q. And were they or not?—A. They were.

Q. So far as they passed through your office?—A. Yes, sir.

Q. Were there any grievances unadjusted that arose before the appointment of the receivers, that you know of?—A. No, sir.

Q. Did you ever hear the men talk of any?—A. No, sir.

Q. Do you know anything about a black list being kept in the master mechanic's office on this road?—A. Yes, sir.

Q. Did they have a form headed "Black list" giving a description of the men discharged?—A. They had a sheet ruled as a black list in 1881, when I first came here on the road, but it was recalled by A. Talmadge. It has never been used since I have been here; and even when it was used the order, as I understood, was "never very closely trace a man." No man was ever traced up by the black list.

Q. You have never seen it since?—A. I have never seen it since I have been in the office. I think I filled out one form.

Q. When was that?—A. In the fall of 1881.

Q. And you know of no use of them since then?—A. No, sir.

AUGUSTUS EGBERT sworn and examined.

By Mr. PARKER:

Question. What is your official position in connection with the Texas and Pacific Railroad?—Answer. I am general superintendent for the receivers.

Q. Were you at any time examined by a United States commissioner?—A. I was.

Q. About what time?—A. About the last days of April, in 1886.

Q. In relation to the strike, and its cause and effects?—A. Yes, sir.

Q. Will you look at this evidence [handing witness copy of testimony taken before the commissioner] and say whether it is a true copy of your testimony then given?—A. It is.

Q. Are the facts stated here true and correct?—A. I believe them to be so.

(The document was then admitted.)

Statement before Commissioner.

Q. Please state your official connection with the Texas and Pacific Railway.—A. I am general superintendent for the receivers.

Q. When did you take charge of the road.—A. On the 15th of January, 1886.

Q. Please state from your personal knowledge and the information that you have received, the cause or causes that led to the strike in the shops at Marshall about the first of last March?—A. Well, I believe the direct cause was to give a certain organization strength; something to build on.

Q. Was there any complaint from any of the workmen in the shops at Marshall, just preceding the strike?—A. None whatever.

Q. Did you confer with the strikers after they quit work?—A. I did not; that is, not as an organization of strikers.

Q. Was the property of the railway company interfered with or damaged in any way after the strike commenced?—A. It was.

Q. Was there any opposition to the running of trains, and was the conduct of business interfered with along the line for some time after?—A. Yes, sir.

Q. What means were taken to protect the railroad property from destruction by the receivers?—A. The receivers applied to the United States court for protection, and the court directed the various United States marshals to appoint a sufficient number of special deputies to guard the property in their respective districts.

Q. Have you in your office reports or statements showing the amount of damage after the strike commenced to property?—A. Yes, sir.

Q. * * * —A. Well, I have not got it summed up; the total amount of damage by actual violence will not amount to much.

Q. Was any of the property burned?—A. Yes, sir.

Q. Please state.—A. The oil house at Big Springs was burned during the strike.

Q. Were there any bridges burned?—A. Yes, sir; two bridges north of Fort Worth were burned, and three between Dallas and Marshall.

Q. Was the track molested in any way?—A. It was at a point west of Marshall; the fish-plate was removed and the rail displaced, causing a wreck to a passenger train, nothing very serious resulting, however.

Q. How soon after the men went out of the shops were they paid off?—A. Their pay was tendered them within a week after they went out of the shops. I will also state that the men were notified on the morning of the 2d that all who did not return to work by 10 o'clock of the 4th are discharged.

Q. Did these men who had lately been employes of the road show a disposition to

molest and do damage to property?—A. They showed a disposition to interfere with the operation of the road by intimidating the men to keep them from work, and taking links and pins from cars, and disabling engines.

Q. How many engines were disabled?—A. Well, I have not the total number.

Q. At what point along the line did there seem to be the most danger from violence?—A. Well, during the whole strike it seemed to extend from Marshall to Toyah, that is, from Fort Worth to Big Springs, Whitesborough to Texarkana, Texarkana to Dallas, &c.

Q. Have the receivers or any officers under them failed to keep any agreement with the employes concerning wages?—A. Not that I am aware of.

Q. Have you ever heard any complaint from the strikers that they were not paid by the receivers, as agreed?—A. I do not think I have.

Q. Did you make personal investigation of the trouble in the shops after the men had struck?—A. I did.

Q. What did you discover to be the reason that caused the men to stop work?—A. They seemed to think that it was on account of the discharge of a man named Hall.

Q. Did you speak personally with any of the strikers?—A. I did not.

Q. From your personal knowledge of character and disposition of the strikers who quit work, what would have been the condition of the road had it not been protected by the United States marshals and their deputies?—A. I think the road would have been in the hands of a mob, and there would have been great opposition to the operation of the road, and destruction of property unless the company would have yielded to their demands, whatever they might be.

HISTORY OF THE STRIKE.

On March 1, 1886, at 3 p. m., the whistles at Marshall and Big Springs shops sounded and the employes in and surrounding the shops at those points walked out to a man. At Toyah, 4.20 p. m. same day, the shop employes and yardmen, and at 5.30 same date, all shopmen, car-repairers, warehousemen, and yard-switchmen at Fort Worth quit work. At Marshall the grievance given to the public was the discharge of one C. A. Hall, foreman of the freight car-shop at Big Springs; Toyah, and Fort Worth no grievance was named, the only reason assigned was that an order had been received from the Knights of Labor at Marshall to stop work. On March 2 an order was issued notifying all employes that those who had failed to return to work by March 4, by 10 o'clock a. m., would be considered dismissed from the service of the road, and would be paid in full to application to paymaster. On the same day the coal-heavers quit work at all points on the Rio Grande and Eastern Division. The first attempt to interfere with trains was made at 10.10 p. m. on this date. As train 315 was ready to leave Big Springs, a body of twenty-five masked men took possession of the engine, broke head and cab lights, took the fireman from the engine by force and uncoupled the engine from train and pulled coupling-pins from the train, cutting it in several pieces, and throwing the pins away, forcing the discontinuance of freight trains.

During the night a switch engine was disabled by same parties. At 2.30 p. m. on the 3d instant, several bridge gangs, and all roundhouse men at Longview Junction struck. On March the 4th between 12.30 and 1 a. m. six engines were disabled in Big Springs roundhouse by a mob of fifty masked men forcibly entering the roundhouse and removing parts of them all. At 7 o'clock a. m. the strikers took forcible possession of the roundhouse, putting engines inside the house and allowing no one to fire them or move them; on the same night further disabled them by removing other parts. The strikers pulled coupling-pins in all cars in Big Springs yards and threw them away. They also removed the draw-bar keys so that trains could not be moved in the event of getting engines out of the house. Trains were discontinued this date west of Colorado. But very few of the strikers would accept their pay at Marshall, and but a few section-men at Big Springs, although paymasters were at both points with proper rolls and money to pay them off. The agent at Fort Worth was prepared to pay all striking employes at that point, but none of them would accept it; proper notices were posted at all points warning employes that they who failed to return to work by 10 a. m. on the 4th instant would be discharged. The miners employed at Gordon mines, which belong to the Texas and Pacific Railway, pulled the coupling-pins and notified the trainmen that it would not be safe to come there again until the strike was over.

The telegraph operators employed by this company at Fort Worth with the exception of one man walked out, and about this time great difficulty was experienced owing to obstacles thrown in the way by telegraph operators employed by this road belonging to or sympathizing with the Knights of Labor. This was notably the case in reports from the Transcontinental Division, where messages were held in some cases twenty-four to thirty-six hours, and in others destroyed altogether or so badly mutilated in transmission as to be of no service to the officers of the road, leav-

ing them in ignorance of the moves being made by the Knights of Labor on that part of the road.

On March the 5th everything was at a standstill at Big Springs, so far as the movement of freight trains was concerned. Eleven men were employed at that point and set to work, but were warned by the strikers that they remained at their peril; some left at once. On March the 7th the locomotive and car department struck at Colorado, Mineola, and Texarkana, as well as yard crews at the last-named point.

On March the 6th we received notice from the Missouri Pacific that they could receive no freight from us owing to strike of employés on that road. On the 2d instant we received notice from the Missouri Pacific officers that they would be unable move and haul our coaches and baggage cars, as the Knights of Labor had boycotted our cars. On the 4th instant the officers of the Missouri Pacific advised our agents at junction points that they would receive no freight loaded in Texas and Pacific or New Orleans Pacific cars, but that all freight in such cars would have to be transferred to cars of their own road. The men struck at Bonham also and stopped movement of freight trains on the Transcontinental Division, and all work in Bonham roundhouse and shop, and the repairing of cars.

On March the 8th the strikers took possession at Fort Worth, and killed switch engine 49 used by this company in switching cars at Fort Worth.

Owing to threats made at various points the running of freight trains after night was discontinued as a measure of prudence. Yardmen, locomotive, and car department employes struck at Baird and many of the trackmen and some of the firemen on the Rio Grande and Transcontinental Divisions quit work with a demand for \$1.50 per day for laborers and \$65 per month for foremen.

On the night of March 9 a mob of strikers with faces blackened entered the shops at Big Springs armed with pistols, and disarmed the night watchman, taking guides from stationary engines and taking them away. They disturbed nothing else, after examining the disabled engines to see that no repairs had been made. At Baird on the same night the strikers disabled engine 582 by taking throttle lever away and by threats drove away the coal-heavers. At Bonham strikers gathered and requested the fireman and engineer to get off engine and not go out. All the yardmen at Longview Junction quit work. Local authorities arrested and fined a boiler-maker at work in Big Spring shops for carrying revolver to protect himself owing to threats of personal violence made against him by the strikers. No trackmen were at work on the Transcontinental Division from Honey Grove to Whitesborough, and but a few between Texarkana and Honey Grove.

March 10, a mob went to roundhouse at Baird with drawn revolvers driving the employes away and disabling the engines in the house except that intended for passenger and mail train No. 301, by taking the guides off one side of each. At 11.30 a. m. we succeeded, with the aid of the United States marshal, S. D. Jackson, and his deputies, in getting a freight train out of Big Springs east and two west, and got another out east later. An attempt to get a freight train out of Bonham proved futile, owing to strikers congregating and asking engineers and firemen not to go out. Overawed by the crowd they declined to go. The Brotherhood of Locomotive Engineers at their meeting this date passed resolutions that they were ready to perform their duty now and in the future as they had in the past, unless forced to leave their engines, and that they were in no wise connected with the strike. The Order of Railway Conductors gave the same expression.

On March 11 Roadmaster Lem found switch broken at Baird, and while attempting to repair same with two of his men a mob of strikers came up and interfered with his men and threw his hand-car off the track. At Bonham the crowd of Knights of Labor drove the engineers and firemen from their engines, as fast as they attempted to move them. No protection was afforded by the city authorities, the city marshal being a prominent member of the order and active in preventing the moving of trains. L. B. Howitt, John Torrance, H. B. Sage, and T. W. Thornton, comprise the committee who waited upon engineers and firemen requesting them not to go out. The citizens of Bonham who belong to the Knights of Labor were in the majority and proved even a greater obstruction to moving the trains than the former employes of the road. Unable to get any freights out of Texarkana, this date. The roundhouse at Texarkana, Ark., is on the Saint Louis, Iron Mountain and Southern property, and was closed and guarded by Knights of Labor. Three Texas and Pacific engines were shut up in roundhouse, engines 509, 524, 662.

Five section gangs between Marshall and Fort Worth quit March 12. A considerable number of strikers congregated in the wood about Gordon coal chutes, who drove away men sent there to coal engines and informed them that if they did not work they could get their meals at all section-houses along the line.

The Knights of Labor persuaded the pumpers at Aledo and Weatherford to quit their posts.

The yardmaster and roundhouse foreman at Texarkana are Knights of Labor and gave no assistance in getting out trains. Engine 650 turned at Transcontinental

Junction and backed into Texarkana, and dispatcher and trainmaster succeeded in coupling on some cars of perishable freight, and train came out. Several attempts were made by strikers to kill the engine but they were unsuccessful.

On the 12th of March Marshal Reagan took possession of the property at Marshall, and Marshal Cabell at Bonham on the 13th.

On the 14th thirty-eight men were at work in Big Springs shop.

At 10 a. m., March 15, the employes in the shops at Gouldsborough, quit work and stopped No. 315, which train had to be abandoned. The water in the tanks of four engines at Texarkana was let out, thus preventing our getting them away. Strikers threw rotten eggs at yardmaster and two of his assistants at Fort Worth.

On March the 16th a freight train was moved each way on joint track between Fort Worth and Whitesborough under protection of the United States marshal. Train 315 was stopped by strikers at Gretna and 316 discontinued to keep engine out of Gouldsborough. Engine 315 was disabled by strikers by disconnecting eccentric from link and breaking rod and block.

March 17 strikers stopped 317 at Gretna, but finally let her go about 11 o'clock a. m.

March 18 train 311 was flagged $1\frac{1}{2}$ miles west of Sparta by an armed man, masked, who handed the engineer the following note:

MARCH 18, 1886.

MR. ENGINEER. You and your brother engineers are hereby notified that the Texas and Pacific Railway is not safe for the present. Be warned in time. We are tired of tyranny.

TEXAS CITIZENS.

As soon as the man had delivered the note he mounted his horse and rode away.

March 19, trains moved in and out of Gouldsborough unmolested. Coal-heavers on joint track at Denton refused to coal trains and they were dismissed, and deputy marshals were sent by Marshal Cabell to protect the persons employed in their places. On Monday, March 22, the shop whistle at Marshall blew and a few men returned to work. The shops at all points have since gradually filled up.

On March 28 all section gangs had been filled up and all the men employed who could be advantageously worked on the track.

THE BOYCOTT.

Boarding-house keepers at Fort Worth were visited by committees of the Knights of Labor, March 2, and for several days afterwards, and warned not to board any of the persons whom the road might employ on pain of being themselves boycotted. This warning was generally observed and in many cases our men were turned out altogether although the representatives of the company agreed to guarantee their bills. Merchants and other business men were visited and threatened with the boycott if they sold supplies to houses boarding Texas and Pacific men. One boarding-house keeper persisted in keeping our men and a succession of boycotts failing to deter him, the water in his barrels was poisoned. At Marshall the boarding-houses were warned in a similar manner, and it was necessary for the company to open a boarding-house to take care of the men employed there.

DEVILTRY.

March 6, brakes were let off some cars in Marshall yards letting cars out of siding on main track, three of them jumping track, delaying passenger train 306 three and one-half hours.

March 2, strikers threw switch at Toyah in face of special train of oranges and tea, running on special time; switch was reset in time to avoid accident.

March 3, switch was disconnected in Big Springs yard; it was discovered in time to prevent accident owing to the vigilance of the officers of this railway at that point.

March 7, No. 314 found a pile of ties on the track 2 miles west of Handley's; no damage done.

March 12, pump-house at Tiffin was burned, embarrassing us very much in running trains and causing no little expense in hauling water a long distance to supply engines.

On March 14 freight train 318 was delayed five hours at Marshall caused by strikers assaulting caller who was sent after engineer and fireman, and prevented him discharging his duties.

On March 17 the spikes were drawn from rails and angle-plates were taken off $1\frac{1}{2}$ miles west of Marshall, derailing coach 372 on passenger train No. 305. The train was running very carefully and under perfect control at the time, otherwise a bad accident, with probable loss of life, would have occurred.

March 16, bridge 580 was burned on joint track.

March 17, bridge 542 was burned on joint track.

March 18, bridge 713 was burned and badly damaged, causing a delay to passenger and mail train 304 of five hours and forty-five minutes, and to passenger and mail train 301 of four hours.

On March 17 several shots were fired in the engine-room of the pump-house at Aledo. The pumper sent there had refused to leave his post when ordered to do so by the strikers.

On March 9 switchman Ramesey was assaulted while in the discharge of his duties at Fort Worth, by striking switchmen, and pulled off a car and otherwise intimidated.

March 10, during the night the brakes were let off caboose 2085 in Baird yard, while crew were asleep, and caboose ran down hill to main track for a long distance; fortunately the matter was discovered before passenger train 301 arrived and a dread accident was averted.

March 19, coal chute switch at Big Springs was disconnected, with a view to running passenger and mail train 301 up at that track and derailing them. It was not discovered until the train, which was running slowly, had run up the track a short distance. Fortunately no damage was done, or anybody injured.

March 20, section of train 312, at 6 p. m., found a pile of rock on track 1½ miles east of Judd's Station. The train was running very slowly and was stopped in time to prevent accident.

March 21, a piece of iron rail 6 feet long was found across the track 3 miles west of Gordon.

March 22, while extra west was tied up at Strawn during the night the hose was cut between engine and tender and water let out. The water was also let out of the water car, which the train was obliged to carry on account of strikers burning pump house at Tiffin. This disabled the engine, and train could not be moved until help was sent them.

March 23, when passenger train 308 was pulling into side track at Lorraine, baggage car jumped the track. It is strongly believed that the trucks of the car had been tampered with during the preceding night at Colorado. Train was delayed one hour, and track was considerably damaged.

March 27, one Harry Nolan, formerly a track laborer at Elmdale, in company with three or four other strikers went at night to the section-house at Elmdale, and finding section foreman Byrnes in bed, called him many vile names, and Nolan, before leaving, struck Byrnes with a piece of iron, causing a scalp wound 5 inches long.

April 18, switch at Windom was thrown, derailing engine 514 and caboose of train 338, damaging them considerably.

April 9, train 311 struck a pile of ties on track on White Rock Kill near Seyene. This train was just ahead of passenger and mail train No. 301. The ties were piled up on the track with the evident intention of wrecking that passenger train.

April 8, bridge 863, 2 miles east of Mineola, was burned, delaying passenger and mail train 304 nine hours. Passenger train 306 two hours and fifty minutes late, and passenger and mail train 301 three and a half hours.

April 11, train 312 found a piece of timber 2 by 4, 16 feet long, and two pieces of inch-timber on track near the west switch at Terrell.

April 10, when train 319 was pulling out of Texarkana, a shot was fired into the caboose, but no one was injured.

The vigilance of the officers and trainmen, their zeal and fidelity in the discharge of their duty to the receivers, and their prudence and caution in the running and care of trains is especially commended. Although obstructions have been placed on the track, bridges burned, and engines tampered with, the damage caused by the wreck of trains has been small, and no injury or loss of life has occurred either to the passengers or the employés. At no time during the strike have the officers of this railway been unable to obtain men to fill the places of the strikers, if proper protection had been afforded by the municipal and county authorities. Men were employed who, after working a short time, were driven away by threats of personal violence, and in many cases our employés were assaulted, the perpetrators escaping punishment for their acts. This caused many of our men to leave, and deterred others from seeking employment on this road. After the United States marshals took charge we were unable to furnish employment to all applicants where protection was ample, and but a short time elapsed before all the places were filled, even at remote points. It needed merely to be demonstrated that protection would be afforded to men in the discharge of their duty to secure all the men we could furnish with employment in all classes of labor, both skilled and otherwise.

DELAY OF FREIGHT TRAINS AND TRAFFIC.

On account of the strike on the Missouri Pacific our passenger and mail trains have been uniformly from two to five hours late, waiting for connections with trains on that road. Freight trains have moved very slowly, owing to the many obstructions

found on the track, and have been laid up at stations during the night. Nothing but the greatest vigilance and care have prevented many and serious accidents.

On the Rio Grande Division 138 freight trains were delayed 1,483 hours and 20 minutes. Freight trains were discontinued between Big Springs and Toyah March 5 to 9, inclusive; between Toyah and Sierra Blanca March 5 to 10, inclusive. Between Baird and Big Springs a few trains ran as far as Colorado between the 3d and 10th, inclusive. On the Eastern Division, between Texarkana and Dallas, freights were not entirely discontinued on any day, but serious delay, expense, and inconvenience were sustained laying up nights. On the Transcontinental Division all the trains were discontinued between Bonham and Whitesborough, March 7, 8, 9, 10, 11, 12, and 13; all freight trains discontinued between Texarkana and Whitesborough March 14 and 15; all freight trains discontinued between Texarkana and Bonham, except March 8 and 9 a local freight train ran between Texarkana and Honey Grove. All freight trains were laid up at night on this division between the date of resumption, March 16 and April 5, it being unsafe to move them at night on account of obstructions on track. Freight trains between Marshall and Boyce were laid up at night March 4 to 12, inclusive. In estimating the loss occasioned by the strike I pay the amount paid men while their trains were side-tracked, the damage caused by wrecks and other vandalism, the loss of service of engines detained by strikers, the deterioration of the track caused by no work being done, the extra cost of coal (this item is very large). The strike on the Missouri Pacific Railway cut off our supply of coal from the Indian Territory; the strike of the miners at Gordon cut off our Rio Grande Division supply, and we were obliged to haul our coal for locomotives from New Orleans—in some cases a distance of over a thousand miles. The estimate also includes cost of watching buildings, water-tanks, bridges, and the service of the United States marshals and their deputies. Likewise the damage caused by delay, laying up freight trains at night, necessarily delayed business, and our motive power accomplished only a trifle more than one-half the work which would otherwise have been done, and the loss of traffic by diversion of our legitimate through business to other lines, owing to the inability of our connections to receive it from and deliver it to us.

Damage to locomotives by strikers detaching parts in round-houses.....	\$500 00
Loss caused by wrecks	800 00
Loss by fires	6,500 00
Loss of links, pins, tools, &c	1,000 00
Special United States marshals will probably amount to	30,000 00
Watchmen	500 00
Extra time paid trainmen while trains were laid up nights (includes watching)	4,000 00
Extra cost in delay in laying trains up nights, and blockades caused by slow movement	5,000 00
Loss of service of engines tied up by strikers (estimated at \$7 per day)	2,500 00
Deterioration of track	12,000 00
Miscellaneous expenses not included in above	7,200 00
Extra expense on fuel supply	25,000 00
Approximate of diversion of freight and passenger traffic incident to the strike on this line and inability of our connections to deliver freight to and to receive it from us	125,000 00
	220,000 00

H. B. PITTS recalled and examined.

By Mr. PARKER:

Question. Looking over the names [referring to a list of special police handed in by witness], I notice H. Stewart. Is he known among the boys as "Frenchy"?—Answer. I think he is.

Q. This list is a correct list of the special police appointed?—A. I think it is correct as far as it goes; there were a few names that the city marshal did not have.

The following list was then put in evidence:

List of special policemen of the city of Marshall, appointed March 1, 1886.

A. G. Norman, T. J. Burnett, W. H. Bill, J. G. Rowe, H. A. Tanke, John Roquemore, Joe Heartsill, R. Davidge, James Hamilton, F. Bryant, J. Kieley, H. Morgan, George W. Rice, John Ford, T. Benj. Scott, John Roberts, John Blackburn, A. Black, J. T. Carter, J. Farrer, J. O'Connor, H. Stewart, W. Harris, W. Butler, F. Murray, J. Gill, George Bergin, H. Craig, E. Nelson, Charles Covington, B. Bull, J. Smith, W. Lewis, H. Walker, R. Hanson, D. W. Leach, W. L. Dearing, George Bibb, James Little, E. O'Connor.

CHARLES A. GINOCCHIO sworn and examined.

By the CHAIRMAN:

Question. You are a citizen of Marshall?—Answer. Yes, sir.

Q. And have been for some years?—A. Yes, sir.

Q. Did you hear the testimony of Mr. Thorn in regard to Mr. Hager's remark in reference to the use of guns and bayonets in the settlement of the strike?—A. No, sir; I was not here.

Q. Did you hear Mr. Hager's remark to Mr. Thorn about the use of guns and bayonets?—Yes, sir.

Q. What did he say?—A. They were speaking about the strike, and Mr. Hager said if it was not settled very soon it would be settled with guns and bayonets. It was in my office at the time it took place.

Q. Was there only one conversation?—A. That is all I heard.

Q. Do you know of any acts of violence or intimidation on the part of strikers against either the railroad company or its employes?—A. Nothing but what I saw myself.

Q. State what you saw.—A. I did not see anything myself. I have heard a good deal and seen the effect of some.

Q. You keep a hotel and boarding-house? Were you boycotted?—A. Yes, sir.

Q. By whom?—A. By a committee; that is, the house in Fort Worth was boycotted.

Q. I am not talking about Fort Worth; I am talking about here.—A. I do not know of anything.

GEORGE MUNDEN sworn and examined.

By the CHAIRMAN:

Question. State all you know about some dogs that you had during the strike making a trail somewhere about a mile from here about one of the railroad bridges.—Answer. They came for me to take the dogs out a mile and a half west of town, where the passenger train had been wrecked. I went there with the dogs. They had been broken down, and their feet were sore that morning. I took the dogs and went down there, and after I got out they scented around, and I got a trail and followed it to the west about one-half a mile, and then crossed the railroad track back towards town and trailed back to the big road, going over and over the line. The dogs broke down and went no farther.

Q. Is it true that the dogs followed the track to where some of the employes of the railroad company were?—A. No, sir.

Q. Do the dogs belong to the company, or to whom do they belong?—A. Part of them belong to Harris County and some of them to the Texas and Pacific Railroad Company.

Q. (By Mr. BUCHANAN.) What breed of dogs are these?—A. Common hounds that we have here.

Q. Are they large and powerful?—A. No, sir; just the common hounds of the country.

Q. Are they large or small?—A. Some call them blood-hounds.

Q. Will they attack a man or simply run him down?—A. If they are running hard, and if he does not get up in a tree or get out of the way they will sometimes attack him unless I am close by with them, and then they will not attack him, but will check up when I call to them.

Q. You say that the Texas and Pacific Railroad Company has an interest in those dogs?—A. Yes, sir.

Q. What use have you made of them for the company besides what you have just indicated, if any?—A. Well, sir, before we got these dogs here they were breaking cars open all up and down the road, at Longview Junction and down in Louisiana, and wrecking the trains; and we went down there once or twice, trailed the parties up that put an obstruction on the rails, and sent them to the penitentiary.

Q. And the dogs are used for this purpose?—A. Yes, sir; they hunt the parties breaking into cars, and get their trail, and we find out who they are.

SAMUEL T. CROSS sworn and examined.

By the CHAIRMAN:

Question. Did you occupy any position in the employment of the Texas Pacific Railroad Company when the strike broke out in Marshall?—Answer. I was foreman of the pattern-shop.

Q. Do you still occupy that place?—A. I do, sir.

Q. Were you a Knight of Labor?—A. I was.

Q. Did you go out on the strike?—A. No, sir.

Q. Why?—A. I did not think that the cause was a just one.

Q. What was the cause?—A. I think it was the discharge of Hall.

Q. Do you know why he was discharged?—A. The rumor is for incompetency.

Q. Was he incompetent?—A. I do not know whether I am capable of judging or not, as I had nothing to do with him.

Q. You testified before Mr. Henry that he was an incompetent man.—A. To my knowledge, he was, sir; that is, to the best of my ability to judge, he was an incompetent man.

Q. Have the receivers violated any agreement with you?—A. Not any, to my knowledge.

Q. Have they always paid the men what they agreed to pay them?—A. Yes, sir.

Q. Do they pay them promptly?—A. Yes, sir.

Q. Did you ever see Hall at work?—A. In the capacity of foreman? I have seen him while he was working in the coach-shop.

Q. Do you know anything about his work personally?—A. No, sir.

By Mr. BUCHANAN:

Q. Were you one of the first who advocated a strike?—A. No, sir.

Q. Never advocated it?—A. No, sir.

Q. At any time?—A. No, sir.

WILLIAM GRAVES sworn and examined.

By the CHAIRMAN:

Question. You occupy the place of yardmaster on the Texas and Pacific?—Answer. Yes, sir.

Q. How long have you held that place?—A. Going on three years now.

Q. Do you know anything about any strikers being on the company's grounds?—A. There were men there a few days after the strike originated; I do not know what they were doing.

Q. Were you ever called a "scab"?—A. I was by crowds on the platform; I have heard them say there was a "scab" and a "Jay Gould servant." I paid no attention to it; I could not say who the words came from.

Q. Do you know of any employés of the company leaving it on account of being abused by the strikers?—A. A man by the name of Griffin worked in the yard for about five hours, and said he would not work any longer; he was called a "scab," and would not work any longer. He left.

MARTIN HINSEY sworn and examined.

By the CHAIRMAN:

Question. You live at Palestine, Tex.?—Answer. Yes, sir.

Q. What is your age?—A. It is fifty.

Q. Your occupation is that of a merchant?—A. Yes, sir.

Q. You live in Palestine?—A. Yes, sir; have lived there for twelve years.

Q. Your business is that of a wholesale merchant?—A. Yes, sir.

Q. And some of the section foremen of the International and Great Northern bought their supplies from you?—A. Yes, sir.

Q. Did the men employed by the Missouri Pacific company distribute their patronage wherever they pleased without being controlled by the company in their distribution?—A. They always did, sir.

Q. Did you ever pay any salary to roadmasters to induce them to control the patronage of their respective divisions in your favor?—A. No, sir.

Q. Did any officer or employé of any railroad in this State, or any other State, ever own or control one cent of the capital of your business from the time you went into business until the present?—A. None whatever, sir.

Q. Do you know of your own knowledge the cause of the strike?—A. I do not, sir, further than from hearsay.

Q. Did you ever hear any strikers say what was the cause of the strike?—A. It was generally thought that it was on account of Mr. Hall being discharged on the Texas and Pacific.

THOMAS CRONIN sworn and examined.

By the CHAIRMAN:

Question. Your age is forty-four; you live at Palestine, Tex.; you are general roadmaster of the International and Great Northern Railroad, which is part of the Missouri Pacific system, and you were living at Palestine at the time of the strike?—Answer. Yes, sir.

Q. How many men had you in your department at the time of the strike?—A. Seven hundred and thirty-six men.

- Q. Was Mr. Hawley working for you at the time of the strike?—A. Yes, sir.
- Q. Did you discharge him?—A. He tried to stop passenger trains over the road—he and his men.
- Q. Were you paying Mr. Hawley as high wages as you were giving to other men in a similar position?—A. I was giving him just the same, sir.
- Q. Did you ever pay Mr. Hawley any money to influence his trade in certain stores?—A. Never, sir.
- Q. At what stores did the men along your line trade?—A. They traded wherever they felt prompted to trade; wherever they pleased.
- Q. Does not the road oblige them to trade at certain stores and with certain individuals?—A. No; they can trade wherever they please, in any town, or any place they have a mind to.
- Q. Were you in Palestine during the last strike?—A. Yes, sir.
- Q. Did you talk with any of the men who struck?—A. I did.
- Q. Did you ask them what grievances they had?—A. Yes; I asked them what was the trouble on the road.
- Q. What did they state?—A. They stated they did not have any trouble on their own road, but they struck out of sympathy with the Texas and Pacific.
- Q. Do you know how they expected to help on the Gould system when that road was in the hands of a receiver?—A. The idea was that the Texas and Pacific would be by that means compelled to put the men back.
- Q. Was there an abundance of railroad labor willing to take the place of the strikers during the strike?—A. I had plenty of men to operate the road.
- Q. What do you mean by that?—A. The road could have been run if not prevented by the strikers. The traffic could have been carried on.
- Q. Do you know anything of one Conberg?—A. I had him discharged myself.
- Q. What did you discharge him for?—A. Because he was a hard man to get along with. A good man to do his work, but very cranky.
- Q. How many men have you in your department now?—A. 663.
- Q. Did you get all the men you need?—A. Yes, sir.
- Q. Had you ever grievances presented to you from your men asking you to raise their wages from \$1.15 to \$1.50 a day?—A. I never had any complaint made to me.
- Q. Had you any Knights of Labor employed?—A. I have a great many of them yet.
- Q. Did they show any disposition to strike?—A. No, sir. I was talking with one who went down and killed two engines at Trinity, and I asked him about what the trouble was, and he said there was no trouble on the road.
- Q. Did you discharge a man called J. W. Lowe?—A. Yes, sir. He formed organizations on both sides of him, and he left his work to go into the business of organizing Knights of Labor.
- Q. How often was he away from his work during working hours?—A. Twice, to my knowledge.
- Q. How long?—A. Three hours at one time, and another evening about half a day.
- Q. What was his business?—A. He was section foreman.
- Q. The evening that he went off, was he absent during working hours?—A. Yes, sir; that was what he was discharged for.
- Q. Had he permission to go away?—A. No, sir.
- Q. The other time he left, was he away half a day? And had he permission to go?—A. No, sir; he had permission at another time.
- Q. You are not division roadmaster?—A. No, sir; I am general roadmaster.
- Q. Who is division roadmaster?—A. R. G. Scott.
- Q. Did you afterwards put Lowe in section 4, the Long View division?—A. That was the place he was discharged from.
- Q. Had you discharged him prior to that?—A. No, sir.
- Q. Had he not been discharged from the service of the road prior to his being at Long View?—A. He was discharged about threatening Mr. Neyland, the division roadmaster.
- Q. When was Lowe discharged?—A. He was discharged about the last of March the last time.
- Q. Whom did you put in Mr. Lowe's place?—A. One of the men working on the section.
- Q. What was his name?—A. I disremember the name.
- Q. Did you state a month before that he was incompetent to fill the position?—A. No, sir; I do not know anything about that.
- Q. Here is a complaint in my hand signed by Mr. Lowe and sent to the assembly, in which he makes this statement: "It was to Mr. Cronin's interest to put him here, as Cronin gave him an order on Cronin's store for almost his entire month's wages." What is the fact?—A. There is not a word of truth in it.
- Q. You testify upon your oath that there is not?—A. I did not know the man who was to be put in his place.
- Q. Is his name J. M. McGee?—A. I think that is the name.
- Q. Do you keep a store?—A. No, sir; my son keeps a store.

Q. Have you any interest in it?—A. No, sir.

Q. Have you had any interest in it?—A. My son and nephew had not enough money and I let my son have some money to go into business, and took their note for the money.

Q. Did you receive a share of the profits or interest on your money?—A. I did not receive any share of the profits, and have not at any time.

Q. I am requested to ask this: if you have any interest direct or indirect in the stock or the business or the profits of the store?—A. None, only have got a note for the money that is loaned to it, loaned on interest. I have got the note for the money, and that is all.

SAMUEL F. WOODS recalled and examined.

By the CHAIRMAN:

Question. How long have you been employed by the Missouri Pacific system?—Answer. About thirteen years.

Q. You are now assistant master mechanic?—A. Yes, sir.

Q. Were you filling that place on the 13th of March, 1886?—A. Yes, sir.

Q. What notice had you of the strike?—A. Not any.

Q. What was the first intimation you had of the strike?—A. The whistle sounding at 10 o'clock.

Q. Have you examined this statement [handing paper to witness]?—A. Yes, sir; I have examined it.

Q. Do you know the facts stated there of your own personal knowledge?—A. Not altogether of my personal knowledge.

Q. State in general terms what acts of violence were committed at Palestine during the strike of March, 1886?—A. At 10 a. m. the employes all left the shop and went down to their hall, and at 11.30, or thereabouts, they all came back, or a great crowd came back, and commenced with the engines, all the engines that were in the house, and all the engines that had been prepared to take trains out. They let the water out of them, took the fire out of them, and disabled them so that we could not use them. They took possession of the shops. I asked them if they had taken possession, and they said they had. They continued in that way, and when an engine came they took possession of it, and would not let it be put in the round-house. They took passenger engines, took them to the round-house and killed them. We proposed to move a freight train with the passenger engine, but they anticipated us in this, and took charge of the engine, and did almost everything to harass and annoy a person.

Q. How many engines did they kill during the strike?—A. They disabled twenty-seven engines, but they killed two of these, and then killed the passenger engines every day. Then they let the water out and pulled the fires.

Q. Did they stop the passenger train?—A. They only stopped it about 40 minutes on that account.

Q. I see a statement here that F. J. Marshall, master-workman, on the 7th of March, demanded that two good coaches be placed at the disposal of his men near the round-house; do you know anything of that?—A. Not to my own knowledge; only I know that coaches were placed there every day until the 29th of March.

Q. By whom were they occupied?—A. By Knights of Labor.

Q. How did you know they were Knights of Labor?—A. I knew some of them were. I had been with them, they had served on committees before me as Knights of Labor, and had presented documents from the assembly.

Q. How many Knights of Labor were there? What proportion of the crowd which had charge of the coaches were Knights of Labor?—A. My judgment is that about 90 per cent. of them were Knights of Labor. I guess they were all Knights of Labor.

Q. Had 90 per cent. of them waited on you in committees?—A. No sir, but they wore the emblem of the order, and that was just my judgment. I cannot tell positively whether they were or not Knights of Labor. I did not stay around here.

Q. I see here a statement that a notice put up by order of the general superintendent was torn down by the strikers?—A. The notices were torn down.

Q. They were put up again. What was done then?—A. Taken down again.

Q. How long did the strikers remain in possession of the yards at Palestine?—A. From the 6th of March to the 29th of March.

Q. Did they allow you to transact your business as you had been doing before they took possession?—A. They almost entirely stopped us.

Q. To what extent did they interfere with you?—A. They took possession of the freight engines. They did not prevent me coaling up engines.

Q. Were any writs of injunction served on any of them?—A. Yes, sir.

Q. What did those writs of injunction contain?—A. They were to keep off the company's premises, and warned the parties from committing other acts of violence.

Q. What effect did it have on them?—A. On the sensible ones it had a good effect. Upon all the other ones it did not seem to have any effect.

Q. Were those who came around again arrested for contempt of court?—A. There were four of them arrested; that is my recollection.

Q. Were you in Palestine on the 23d when engine 750 came out of the round-house?
—A. Yes, sir; I was there.

Q. State what occurred.—A. The engine was brought out of the engine-house to do some switching and to make up a freight train. Just as soon as the sheriff's posse was there, and just as the engine started from the water-tank, a bell was rung and the strikers came down from their hall. The sheriff told them they had been served with writs of injunction, the majority of them, and they must not come. They paid no attention to him, but came right on, got on the engine, throttled the engineer, and one of them threw the switch in front of the engine and threw the engine off the track, but we got them away and got the engine on the track and took the engine from them.

Q. Were you at Palestine on the 26th when engine 750 was started again?—A. 750 was brought out again. Sam Hammel got down to the coal chute and commenced switching cars there, and the strikers got on the engine there, and tried to take possession of it; but there were eight or ten conductors and brakemen and some other loyal employes that kept them away. They finally succeeded in getting the blow-off cock open, and placed an obstruction on the track and got the engine off the track. After that we were paralyzed to do anything further.

Q. Was anybody injured during during that time?—A. An engineer was struck about the face and eyes.

Q. What finally enabled you to go on with the business?—A. The posse of the sheriff and a posse of citizens came down and took charge of the yard and kept the strikers away. We were then permitted to go on with our business.

Q. How long did the citizens remain in charge?—A. From about 1 in the day to 4 o'clock the next day.

Q. Is that all the time that they remained in possession?—A. All the time with a large posse.

Q. Were any of the parties disturbing the business of the road punished?—A. Some of them were punished for violation of the injunction writs.

Q. I see in here a paper purporting to be a Knight's of Labor address to M. J. Corrigan.—A. He is foreman of the round-house.

Q. Did you see him receive it?—A. No, sir; he showed it to me and showed me his reply.

Q. Appended to this statement is another showing the engines which were disabled by the strikers, is it correct?—A. It is correct. I state that of my own personal knowledge, as I examined the engines. As far as Palestine is concerned, I know that of my own personal knowledge.

Q. Do you know anything about D. O. Brown and I. Hayes?—A. I received this note on October 12 from the round house: "I would like to have this man D. O. Brown, the colored man, removed. He is totally inefficient. He keeps the engine too long at the coal pile. He is also negligent about bringing in drinking water to the round house. For the last two years he did not have anything to do until the arrival of the men. The machinists refuse to have him help them, as they are afraid he will hurt them, he is so awkward and also careless. He came near laming yours, truly." I deemed that sufficient cause for Mr. Brown's dismissal, and so instructed the Knights of Labor committee. But the man demanded an investigation and went to Mr. Herrin and he gave him an investigation, and wanted to have Brown's place filled with some other person.

Q. Who did?—A. Mr. Herrin. He wanted to compromise the matter to help him, and please the men in the shop, and put him in some other place where he would not be in contact with so many Knights of Labor; but they would not have it that way, and we sent him back. That did not satisfy the foreman, and he quit.

Q. Do you know anything about E. J. Bouchard, general foreman of the Palestine shops?—A. I was away from Palestine when that question came up. I received a message from Mr. Herrin to come to Palestine at once. I came right to Palestine and found next morning that they had demanded the resignation of Mr. Bouchard. I got to making inquiries, and found that what led to the demand was the discharge of George Lowry, a machinist; and the facts that led to the discharge of Lowry are these: We had some engines in the shop that we were wanting to get out in a hurry and I had told Bouchard to work his men overtime. He asked Mr. Lowry to come back that night, and Lowry agreed to come; but when he got home he found that he had something to do, and did not come back. The next morning Bouchard asked him why he did not come back. Lowry told him he had some chores to do about home and he could not come. Bouchard told him that when he promised to come back he should have come, as it inconvenienced him to a considerable extent. Mr. Lowry said, "If you do not like it, you know what you can do." Mr. Bouchard said, "I know what I can do; I can let you go to the office and get your time." So he went to the office and got his time. When I got back I found that a committee had been to Mr. Herrin and demanded Mr. Bouchard's resignation immediately. Mr. Herrin represented to them that I was not there, and that he had no one to place in charge of the shop. They said it did not make any difference; they had somebody they could

place in charge. Mr. Clark also came down; he is the master mechanic. They wanted some concession. So an agreement was made that Mr. Clark, myself, and Mr. Bouchard should go to a meeting in the Knights of Labor hall and settle the matter. Mr. Marshall, master workman, presented the charge that had been made in writing, and asked if any member was there to sustain the charges. One or two of them got up and said they had no charge against Mr. Bouchard, and had nothing against him personally, or that would cut any figure in this case. Well, Mr. Marshall asked, if there were any charges—if any member had any charges to make that would substantiate the charge, to get up and make the statement. No one did so. Then Mr. Marshall made a statement that as no one could make any charges, that the charges filed were of no force, and he tore them up and destroyed them. Then Bouchard got up and made a statement that he guessed he had acted a little hasty in the Lowry case and that Lowry had acted hasty, and if they could talk the matter over they could adjust it themselves. I suggested to one of the members there to appoint a committee, and we would see Lowry. We went out, and I told Lowry that we thought he had been very hasty in his action and I thought he should make an apology to Mr. Bouchard. He agreed that he had acted hastily, and was willing to apologize. He did make the apology, and that settled the grievance as far as Mr. Lowry and Mr. Bouchard were concerned. It was settled that he was to go back and take his job.

Q. Is there any truth in the statement that the wages of the shopmen of your road were raised between March, 1885 and 1886?—A. Yes; on the International and Great Northern Railroad between one and two hundred men's wages were increased between March, 1885 and 1886.

Q. There is one statement my attention is called to, in which you deny that the wages were raised by the request of the Knights of Labor.—A. Yes, sir.

Q. And you say they were raised by the company voluntarily?—A. I have marked under those that are voluntary.

Q. You do not include them in the 200?—A. I counted them up. I think they were included in the 200.

Q. (By Mr. BUCHANAN.) Those that were voluntarily raised in addition to those requested?—A. No, sir.

Q. (By the CHAIRMAN.) Had you ever any complaint about the section men and other unskilled labor having been reduced from \$1.50 to \$1.15?—A. I heard some talk of it among our men after the strike.

Q. Prior to the strike was there any complaint to you about wages of unskilled labor?—A. No, sir.

The following was put in evidence by witness:

[The Missouri Pacific Railway Company, International and Great Northern Division.]

Statement showing engines disabled by strikers.

Date.	Engine.	Damage at Palestine.
March 6, 11, 17, 23.	703	Left link-lifter, throttle-lever, right valve-rod, branch-pipe, and filling-up plug removed.
March 6	713	Right link-lifter and throttle-lever removed.
March 6, 8	714	Right link-lifter, throttle-lever, left valve-rod removed.
March 6, 11, 23	715	Right link-lifter, throttle-lever, right valve-rod, and filling-up plug removed.
March 6, 11	717	Throttle-lever, oil-cup, gauge-cock plugs, right valve-rod removed.
March 6, 17	720	Both link-lifters, throttle-lever, oil-cup, gauge-cock plugs, and branch-pipe removed.
March 6, 11	741	Left link-lifter, throttle-lever, right valve-rod removed.
March 6, 11	743	Right link-lifter, throttle-lever, gauge-cock plugs, left valve-rod removed.
March 6, 11, 23	744	Left link-lifter, throttle-lever, right link-lifter, and filling-up plug removed.
March 6, 11	754	Left link-lifter, throttle-lever, right valve-rod removed.
March 6, 11	755	Do.
March 6	760	Left back-up eccentric-blade pins removed.
March 6	771	Both link-lifters, throttle-lever, gauge-cock plugs removed.
March 6, 11	774	Right link-lifter, throttle-lever, left valve-rod, and key of right valve-rod removed.
March 6, 11	775	Left link-lifter, throttle-lever, nut of right rocker-pin removed.
March 6, 11	776	Throttle-lever and both back-up eccentric blade-pins, gauge-cock plugs removed.
March 6, 11	778	Both back-up eccentric-blade pins, throttle-lever removed.
March 6, 11	779	Both back-up eccentric-blade pins, throttle-lever, gauge-cock, and oil-cup plugs removed.
March 6	786	Right link-lifter, throttle-lever, gauge-cock plugs removed.
March 7, 11, 17	706	Both link-lifters, throttle-lever, right valve-rod, branch-pipe removed.
March 7, 11	738	Both link-lifters, throttle-lever, left valve-rod removed.
March 7	777	Both link-lifters, throttle-lever, gauge, and oil-cups removed.
March 8, 23	772	Both link-lifters, throttle-lever, filling-up plug removed.
March 8, 17	781	Both link-lifters, throttle-lever, branch-pipe removed.
March 8	782	Right link-lifter, top pin of left link-lifter badly hammered.
March 17	758	Branch-pipe removed.
March 23	773	Filling-up plug removed.
March 23	750	Thrown from track; damaged about \$5.

JOSEPH HERRIN sworn and examined.

By the CHAIRMAN:

Question. What position do you occupy on the Missouri Pacific?—Answer. I am superintendent of the International and Great Northern and Missouri, Kansas and Texas.

Q. And have filled that position for how long?—A. For the last year on the Missouri, Kansas and Texas; since May last on the International and Great Northern, for the last four years.

Q. You have heard the testimony of Mr. Wood in reference to the doings in Palestine?—A. I did.

Q. Do you corroborate his statements substantially?—A. I do.

Q. Have you anything further to add?—A. There is nothing further that I can say.

Q. Have any complaints come to you on the part of unskilled labor—anything in regard to their being paid \$1.15 a day, and that not being sufficient, and requesting that it be raised to \$1.50?—A. There has not been a single case.

Q. Do you know anything about the case of this man Lowe, at Palestine?—A. No, sir; I do not know anything more than that I think there was a man named Lowe discharged. He came in to see me about it, and I took it up to Mr. Cronin and got him to put him to work. And I think he put him to work north of Palestine.

Q. Did he write to you about it?—A. I do not remember whether he did or not. I told him I had him reinstated.

JAMES W. DAVIS sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. About two and a half miles in the country.

Q. How long have you lived there?—A. About two months.

Q. How long have you lived in the county?—A. About fourteen months.

Q. Did you and A. J. McMillin present to Mr. Walter Cumming, who was then general superintendent of the Texas and Pacific Railroad, any paper or document, and, if so, what was it?—A. Yes, sir; we did. This is a copy of the original (handing printed circular to Mr. Buchanan), but the bottom part was not in the copy that we gave Mr. Cumming.

Q. This which you handed to Mr. Cumming is dated December 15, 1885?—A. That is a copy of the original presented to Mr. Cumming.

Q. Did you present it to Mr. Cumming?—A. I and Mr. McMillin did, and that is a true copy of the one we presented.

Q. Have you got Mr. Cumming's reply?—A. His reply was that the road was going into the hands of a receiver, and he could take no action on it; but said he did not see anything unreasonable in it and that he would endeavor to have it adjusted.

Q. He placed it on file?—A. He placed it on file and took the number of my box, and told me he would let us hear from him during the next month.

Q. Did you receive any answer?—A. We never have.

Q. (By the CHAIRMAN.) Mr. Litchman wants me to ask you whether the grievance existed from the beginning of the year?—A. In September, 1884, in a gang of ten men they were getting \$2.75, \$2.50, and \$2. Two men had \$2.75; four had \$2.50, and two had \$2.25, and two \$2. They are now getting (in 1886) one man, \$2.60; four men, \$2.40; two men, \$2, and three men, \$1.75. The men are not allowed any overtime for any work they do, and have not been.

Q. Are you employed by the company now?—A. No, sir.

Q. When did you leave the employ of the company?—A. I left with the strikers. I was one of the local grievance committee, and have been for four or five months.

Q. Were you a member of that committee when this grievance of Mr. Hall was presented?—A. Yes, sir.

Q. Were you one that voted not to go to Receiver Brown with that grievance?—A. No, sir.

Q. Did you vote for it?—A. No, sir; I did not vote either way.

Q. Were you present at the meeting when it was voted on?—A. No, sir.

Q. Did you wait on Mr. Dempsey with a grievance?—A. Yes, sir.

Q. When?—A. I disremember the date.

Q. Give it as near as you can.—A. It was a month or two previous to the strike.

Q. What was the grievance?—A. A complaint came in of his overworking his men. There were several complaints of that kind. I and a fellow named Smith and a fellow named Harry Gray were the committee appointed to wait on him. We went to Mr. Dempsey and saw him, and told him there were complaints coming in against him for overworking his men, and he said: "Davis, by God, the men cannot get along with these negroes, and before I would do it I would resign."

Q. Did you investigate this grievance before you went to Mr. Dempsey?—A. Yes, sir.

Q. How was that investigation conducted?—A. We talked with the darkies and with the machinist helpers.

Q. How did you find out whether these complaints were true or not? What proof had you?—A. We investigated it. It was proven by darkies there who saw it.

Q. Did you take the testimony of the boss or foreman, or whatever he might have been, who had charge of them?—A. Yes, sir.

Q. Who was he?—A. Dempsey.

Q. Did Dempsey admit that he had been overworking them?—A. He said that often he would have to go in and take a hand.

Q. Sometimes during working hours they had no work to do?—A. Not that we could find out.

Q. Did you try to find out?—A. Yes, sir; it was proven by the evidence given in that they always had something to do, and as a rule they had to turn No. 40 after the whistle blew.

Q. Is there anything further you want to state to the committee?—A. I was present when Governor Brown was asked if he would indorse the Hayes agreement, and he said he could not indorse that without permission of the court, but he would endeavor to live up to it as near as he could. We were holding an Iron Mountain coach, and I told him that we would hold that; that we had not yet received any orders from him, and as we had been notified there would be no changes made, and I have never seen any notice that there was to be a change; the coach was repaired there.

Q. (By Mr. PARKER.) Were any changes made?—A. None that I know of.

Q. How long would it take to turn engine No. 40?—A. About 15 minutes.

Q. Could they not do it in five minutes?—A. No, sir. The turn-table was in bad shape at the time.

The document referred to by witness was as follows:

MARSHALL, TEX., December 15, 1885.

W. CUMMING, Esq.,

Superintendent Texas and Pacific Railway:

DEAR SIR: At a convention of the undersigned, representatives of the bridge forces on the Texas and Pacific Railway, the following resolutions were adopted, and it was resolved that the same be submitted to you for your favorable consideration and such action as may be necessary to have them carried into effect:

(1) That the rate of pay of all bridgemen be restored to the rates of September, 1884, viz: In a gang of 10 men, 2 men at \$2.75; 4 men at \$2.50; 2 men at \$2.25, and 2 men at \$2, and that 10 hours shall constitute a day's labor.

(2) That no bridge foreman shall receive less than \$90 per month.

(3) That all house-repair gangs shall be rated the same as bridge gangs in the same ratio.

(4) That all boarding bosses for bridge gangs shall be entitled to $\frac{1}{4}$ rate of freight on all supplies for use of bridge outfit.

(5) That boarding bosses shall charge a uniform rate of \$18 per month for board of bridgemen, and that when a man is absent from his gang and outfit over one day, a proportionate deduction for board shall be made for such absence.

(6) That when outfit cars are moved at night or on Sundays bridgemen shall be allowed one and one-half time while being so moved.

(7) That when bridgemen are compelled to work in water at washouts, &c., they shall be allowed double time for such work, and that when such work shall amount to four hours, a full day's time be allowed therefor.

(8) That when bridgemen are detached from their gang on special service, they shall be allowed one and one-half time while traveling at night on such special service and full time for all other time until their return to their respective gangs.

(9) That bridgemen having families shall be permitted to travel on their gang pass to and from their homes, for the purpose of visiting their families at least twice a month.

(10) That the above rules shall be in full force and effect from the day of their adoption.

(Signature of delegates:) F. Crowley, bridge gang No. 1; S. F. Mays, bridge gang No. 2; J. F. Mann, bridge gang No. 3; A. J. McMillan, bridge gang No. 4; J. E. Prime, bridge gang No. 5; S. M. Graves, bridge gang No. 6; S. M. Graves, bridge gang No. 7; Joseph Boyleud, bridge gang No. 9; W. P. Robinson, bridge gang No. 10; W. P. Robinson, bridge gang No. 11; Charles Anderson, bridge gang No. 12; Leslie Brown, bridge gang No. 13; John Wilson, bridge gang No. 15; A. J. Killbuck, bridge gang No. 16; Ed. Burnety, bridge gang No. 19; J. W. Davis, B. & B. shop.

The committee then took a recess till 8 o'clock in the evening, at which time they proceeded to take further testimony.

JOHN A. CROSBY sworn and examined.

By the CHAIRMAN:

Question. You are general foreman of the car-repairing department on the Texas and Pacific Railroad?—Answer. Yes, sir.

Q. Did you occupy that position when the strike broke out in March last?—A. I did.

Q. What cause was there for the stoppage of work at the shop on March 1?—A. There was no cause except I discharged one of my foremen.

Q. What was his name?—A. C. A. Hall.

Q. When was Mr. Hall discharged?—A. He was in the freight department.

Q. What day was he discharged?—A. On the 17th of February of this year.

Q. Why did you discharge him?—A. Well, I discharged him because he was away from the shop without my leave.

Q. Any other reason?—A. Well, also for incompetency and neglect of duty.

Q. How did he neglect his duty?—A. By attending to something that did not concern the company or the interest of the company.

Q. After his hours of labor?—A. During the hours of labor.

Q. Did you ever grant him leave of absence?—A. Yes; I granted him leave of absence for two or three hours one time.

Q. What time was that?—A. I think that was about the 13th of February. He came to me and spoke as if he wanted to be absent on some committee business for a short time, and he would be back again.

Q. How long did he remain away?—A. He was gone parts of three days.

Q. Did you need him very particularly during that time?—A. Yes, sir. I was looking for him twice during the time.

Q. How long was he gone?—A. Parts of three days.

Q. What action did you take in regard to his further employment?—A. Why, I discharged him.

Q. Did he ask you why?—A. Yes, sir.

Q. What did you tell him?—A. I told him that he had been gone longer than I had granted him leave.

Q. What reply did he make?—A. He replied that he had not. I told him he had. I told him, furthermore, that I did not think he had been doing just right, and I had no further use for him.

Q. Did he ask if he could have his old place back, under Cummings?—A. Yes, sir; he said something about that, and I told him he would have to go to some party higher than me for it.

Q. Were you asked to reinstate him?—A. Yes, sir; by a committee that waited on me the same evening that I discharged him.

Q. What were their names?—A. Mr. Bibb, Mr. Little, Mr. Dearing, and Mr. Hanson. All of them were on the committee.

Q. Whom did they represent themselves to be, and what did they say was their official capacity?—A. They said they represented the Knights of Labor; that was the way I understood them.

Q. Did they request or did they demand the reinstatement of Mr. Hall?—A. Well, to my recollection, they requested.

Q. What reason did they assign for the discharge of Mr. Hall?—A. I told them about the same that I told Mr. Hall.

Q. Did you give them any reason beyond what you gave him? Did you tell them he was incompetent?—A. Yes, sir.

Q. Did they say they would inquire into the question of his incompetency?—A. Yes, sir.

Q. Did you make any reply to that?—A. I told them that they could if they wished.

Q. Did they say that they could show that he turned out more work than any foreman had done?—A. I think one of them made that remark.

Q. Did Mr. Hall's work cost the company more or less than similar work had cost the company under other foremen?—A. More.

Q. What kind of men had he under him?—A. He had some very good men and some very poor men.

Q. Did the committee that came to you consist of members of the shop, or were they outsiders?—A. There were three of them under me and one from another department.

Q. It is stated here that the Knights of Labor interfered with the working of your department; is that true?—A. Yes, sir.

Q. In what manner?—A. In dictating what I should work the men on, and what wages I should pay the men.

Q. Do you remember any particular instance in which they interfered. There is some reference to the foreman named Ogle?—A. I can state that I wanted to get some cars out of the shop, and I had some colored men that could do such work as

that, and he said he would put those men to putting up some draughting timbers. They started to working, and a committee waited on him and said, "If you do not stop these men we will in five minutes."

Q. This report was made to you by Mr. Ogle?—A. Yes, sir.

Q. What did you say to him in regard to it?—A. I said that it was coming to a fine thing that they should dictate as to what the men should do.

Q. Did you tell him he should discharge them?—A. Yes, sir; I told him I would.

Q. Do you know of any other instance?—A. I had some cars I wanted stripped out and prepared for going into the shop, and cheaper labor would do just as well, but the men objected and said that that kind of business would not do; that if they did not stop that, they would.

Q. Well, did they stop it?—A. Yes, sir; we stopped it rather than have another battle with them.

Q. How long have you been connected with the car-building business?—A. Nearly twenty years.

Q. Have you been actively employed in it?—A. Yes, sir.

Q. Was that the business in which Hall was employed by the company?—A. Yes, sir; when I first knew him he was working in the coach department.

Q. Was that his business at the time you discharged him?—A. Yes, sir.

Q. You say he was incompetent?—A. Yes, sir.

Q. Was he incompetent because he did not understand his business, or did he neglect it?—A. He did not understand it and he neglected it.

Q. How long had he been foreman?—A. About four months.

Q. How was it you did not discover his incompetency earlier?—A. I thought perhaps the man would do better, and I gave him a trial.

Q. Did you not say to Mr. Hall that you wanted a man that was not afraid of the men?—A. No; not to my recollection.

Q. How did his work compare with that of his predecessor?—A. It was worse, and it was more costly.

Q. Who caused Mr. Hall's predecessor to be removed, and why was he removed?—

A. Well, there were four or five men in the shop that got up a circular in which they said he was incompetent, and they did not want him for their foreman any longer; and that he could not work there.

Q. Was he removed on that account?—A. Yes, sir.

Q. Did they belong to any labor organization; if so, what organization?—A. Yes, sir; they termed themselves Knights of Labor.

Q. Was he removed upon their representations?—A. Yes, sir.

Q. By whom was he discharged?—A. By Mr. Cumming.

Q. Was that previous to the time when the receivers took possession of the road?—A. Yes, sir.

Q. Mr. Cumming was the former superintendent, I believe?—A. Yes, sir.

Q. At whose request was Hall put in?—A. Mr. Cumming sent Mr. Hall down there to report to me, and I knew nothing about it until he said that he wanted him to take charge of the shop. They went down there, and I did not know what to say; and I went on up to the office and found out that he had been appointed.

Q. Was Mr. Ogle a good foreman?—A. Yes, sir.

Q. Did you know whether the work of Mr. Hall was cheaper than the work of Mr. Ogle?—A. Cheaper than Mr. Ogle; no, sir.

Q. It is reported to me that the statement does show that fact?—A. Mr. Hall's work cost more. I can show you a statement that I have that was taken from the books. The reason why I took that month in the statement that has been handed in was because it was the best month for these men.

Q. When did Mr. Hall begin work as foreman of the car department?—A. I think in October.

Q. And he worked until the middle of February?—A. Yes, sir.

Q. There is a statement handed in evidence by Mr. Woods which shows during the time that Mr. Hall was engaged in work, that is, during the month of February, the cost of work per car was \$50.63, and Mr. Ogle's during the month of June, 1885, was \$52.48. Have you any explanation to give about that?—A. No, sir.

Q. Was it not proven before Mr. Cumming that Ogle was incompetent?—A. Not to my knowledge.

Q. How long does it take a new foreman to get the run of his work?—A. Not so long, if he is put in the shop with the men who understand the work.

Q. How long did it take you to get the run of the department?—A. It took me quite a while, for they kept everything hid from me—the men in the department did.

Q. Why did they keep everything hidden from you?—A. I do not know why. They seemed to be backward in bringing out the books that had statements in them, and I asked for them quite a number of times.

Q. What is the height of a standard coach?—A. From the inside?

Q. From the ground?—A. From the rail, I think, about 13 feet.

Q. What is the difference between a rigid and swinging main truck?—A. Well, one is stationary and the other has a bolster that hangs.

Q. (By Mr. PARKER.) Was Ogle a Knight of Labor?—A. No, sir; not to my knowledge.

Q. How many hours leave of absence did you give Hall?—A. From two to three hours; about two hours to my recollection; I might have said two or three hours.

Q. What time of day was it he commenced on his leave?—A. I think it was about ten o'clock that he was to be absent.

Q. How many consecutive working hours was he absent?—A. I think he was absent four, or perhaps more, each day.

Q. Can you not fix that more definitely?—A. No, sir; I cannot. I was looking for the man, and he was absent two days; and I never found him until I had waited for him most of the day.

Q. How many working hours and working days was it before you saw him after you gave him leave of absence?—A. I never saw him for two days.

Q. Did he make any explanation when you found him?—A. No, sir; he insisted that he had been granted that time, and claimed that I had granted him that leave of absence.

Q. How much?—A. About three days.

Q. Then he claimed that you had granted him all that he took?—A. Yes, sir.

Q. How long had you known Hall before this?—A. Some three or four months, maybe four months.

Q. Did you not know him longer than that?—A. About seven months.

Q. (By Mr. BUCHANAN.) Asforeman how many men did Mr. Hall have under him?—A. He had at one time about sixty.

Q. At the time he was discharged about how many had he?—A. About thirty-three or thirty-four.

Q. During his absence who took charge of his duties?—A. Well, there was no one except when I would go down there myself; and I had to be down there when they needed anything.

Q. You say that he had some good men and some poor men?—A. Yes, sir.

Q. Why were poor men retained?—A. I do not know. I objected to it, and tried to hire good men. He objected to my hiring some men and said he was a poor man, and I said, "if you can get a better man, then I will let you hire him." I took notice that he hired men that were worse men than I hired; that is, poorer workmen.

Q. (By the CHAIRMAN.) Were you examined by the local committee of the Knights of Labor on the subject of Mr. Hall's discharge?—A. I was.

Q. Did you tell them that there were men on the freight shop pay-roll that had never worked in the freight shop?—A. Not to my knowledge.

Q. Did you tell them that these men drew more money than any that were at work in the freight shop? The men that I refer to were Henry Hearne and O. D. Buttrey?—A. I do not remember saying anything about that.

Q. Was it true that men were carried on the freight shop pay-roll that did not work there, and thereby increased the cost of the car department?—A. There was only one man, and that was the watchman.

Q. I am requested to ask you whether Dan Buttrey and Hearne worked on the wrecking gang all the time?—A. They worked there when they were working on the wrecking car on the road.

Q. Were they carried on Hall's pay-roll?—A. I think they were on that roll,

Q. Did that increase the charge or cost of cars against Hall's account?—A. Well, very little I think. I do not think they were working much on the wrecking car.

Q. Did not these men make by wrecking from forty to forty-five days, counting extra work, each month after Mr. Hall was placed in charge?—A. Well, they might. Some months they would make considerable overtime, but I know I objected to some of their overtime.

Q. I do not ask with reference to the employment of them in other work, but in car-building and in charging that against Mr. Hall's pay-rolls?—A. It is no more than under other foremen, and they had the same show.

Q. So that it did not make any difference?—A. Both Ogle and the other foreman had the same thing to contend with.

Q. Were any passenger coaches built and repaired at those shops?—A. No, sir.

Q. Was there any time during Hall's foremanship when the material ran out and the men could not be kept fully employed?—A. No, sir. When I first came here there were 50 car-loads of lumber in the yard.

Q. (By Mr. PARKER.) Had Hall generally obeyed your orders when in the shops, or did he in any manner disobey?—A. He was very good about obeying, I can say that.

Q. Was there any reason that you can give why you did not discharge Hall earlier?—A. Well, no, sir; I know that I wanted to give the man a showing, hoping that he might do better and improve.

Q. Did you retain him because you feared trouble if you discharged him?—A. Well, I knew there was an element that I would have to contend with if I had discharged him, or any other man.

Q. What element do you refer to?—A. They called themselves Knights of Labor.

Q. Do you discharge men occasionally?—A. Yes, sir.

Q. What was the action as to reinstating them?—A. Well, they would sometimes ask for them to be reinstated.

Q. Before the appointment of receivers did you discharge men?—A. Well, I sometimes discharged men. Sometimes they would try to compel me to pay a man more money than he was worth, and I would tell them that that man would have to go to the office and get his time.

Q. Did you discharge them in that way sometimes?—A. Yes, sir.

Q. Did you take them back always when they came to you to reinstate them?—A. I do not remember. I may have taken one or two back because they were willing to work, and would have worked for me if they had been allowed to.

Q. What caused this strike?—A. As I stated—that Mr. Hall had been discharged.

THOMAS E. SCARBOROUGH sworn and examined.

By Mr. PARKER:

Question. Are you a Knight of Labor?—Answer. Yes, sir.

Q. Are you employed by the Texas and Pacific Railroad?—A. Yes, sir.

Q. And have been how long?—A. I was first employed at these shops in September, 1876, and I remained on the books until the 1st of March, 1886.

Q. Has the executive committee of the Knights of Labor power to make you stop when your wages are reduced?—A. That is discretionary with the party having the grievance. If I feel that I have not had justice, then I turn it over to the executive committee; otherwise, I do not know that they have anything to do with it.

Q. You understand that the executive committee, under the constitution of the order, have no jurisdiction unless an appeal is made to them by or on behalf of one who claims he has a grievance?—A. It is very like going into court and taking it up on the same principle as if a man owed me a debt; if I did not think I could get it I would not press it.

Q. You understand that they have no jurisdiction to act in a case unless an appeal is made to them to act for or on behalf of any one having a grievance?—A. They have the power to take up a case whether it is referred to them or not. I suppose they have the power; it is not generally done.

Q. Have they power to insist upon an increase or a reduction of wages?—A. That comes under the same management.

Q. Of their own motion, if they wish?—A. They are only there transacting the business, instead of all men acting separately. If a man wants his wages raised they attend to it.

Q. Suppose they have a man who is not receiving enough?—A. If he is satisfied it is none of their business.

Q. But I understood you to say that they might act without his consent?—A. I am not posted fully as to the law.

Q. Suppose the executive committee should issue an order for you and your fellow-workmen to stop work for a year, would you feel obliged to obey it?—A. If the matter was in their hands I would.

Q. Well, is not a man doing so putting his liberty in the power of the order?—A. No, sir; he does not have the power to act until a man puts it in his hands. That executive board has only to act as our counsel in the case.

Q. What is your judgment as to Hall's capacity for the place from which he was discharged?—A. I do not know that it would be proper to answer that question. I never was about the shop any. I worked with him for two or three years in the coach shop.

Q. Cannot you judge from that?—A. Well, my judgment in that case would be that he was not a fully competent man; that is my idea about it. I do not believe that he ever had any experience.

Q. What did you think of Mr. Hall's competency as coach builder?—A. Mr. Hall is a very ingenious man, but not a first-class mechanic.

Q. Is he not competent as a coach builder?—A. Yes, sir; he did all the work that I ever saw him undertake to do.

Q. (By Mr. BUCHANAN.) What is your judgment as to his ability as a mechanic?—A. I always took Mr. Hall to be a very ingenious man, and he catches on to anything very quick.

Q. What is your judgment of him contrasted with other men working at mechanical work, if you had any observation in that regard?—A. No, sir; I have had no observation.

WESLEY M. ROBERTSON sworn and examined.

By Mr. PARKER:

Question. You are a resident of Marshall, and have been for a year and over?—Answer. Yes, sir.

Q. You were here during the strike in March and April?—A. Yes, sir.

Q. State the effects of the strike on the business here.—A. Well, sir, it crippled business considerably, and we are feeling the effects of the strike up to this day.

Q. In saying that, what class of business do you refer to?—A. All classes; the dry goods and grocery business; all of them have suffered by the shops closing.

Q. What action did the citizens take as to the strike?—A. Well, sir, they did not take much, one way or the other.

Q. What was their attitude during the strike?—A. They were divided in the beginning, and during the latter part of it the greater portion were against it; and as the strike grew larger and longer they saw the evil of it and expressed themselves more freely.

Q. In your judgment, as a citizen, could the business of the railroad have been carried on without aid at Marshall?—A. Not unless they could have got some officers to take charge of it.

Q. What is your business?—A. Merchandising.

Q. General merchandise?—A. Yes, sir.

Q. Was the damage that you speak of being done to business because of the men's inability to pay money for goods?—A. Of course the trade of the town is dependent a great deal upon the shops, and if there was no money paid out by them there was no money taken in.

Q. What was the effect of having 200 men here out of employment?—A. It has just the effect of keeping trade idle.

Q. What will be the effect upon business or upon collections and payments if these men have to move away without getting work here again?—A. I would judge it would be rather poor.

LAWRENCE BREEN sworn and examined.

By Mr. BUCHANAN:

Question. I think you were present when they examined the broken rail and fish-plates. Did you hear the testimony this afternoon as to the rail that was misplaced on the line of the Texas and Pacific about a mile and a half from this town?—Answer. I heard most of it.

Q. Just tell what you know about it.—A. I know that the rail never was misplaced, simply from the fact that I went out there—I went to the section foreman, and he said to me somebody had taken a wrench and taken the fish-plates off, and they had moved the rail out four inches, and then they had taken the fish-plates and thrown them on one side.

Q. Please tell what you saw.—A. I went there with the sectionmen and investigated. The rail had been fixed and put into its proper place, and the rail had been moved scarcely better than three-quarters of an inch. The section foreman showed me where the car had gone off the rail. We also found that the spikes had bent in their places, from the mark of the spikes in the ties, being widened from an inch to an inch and a half, showing that the spikes were there. We also found that the angle-plate was bent, and right in the center there was a dent about where it touches the end of the rail, about a quarter of an inch deep, showing it was there when the rail turned over. I also went down underneath and found bolts, and I said to the section foreman, "look here, these bolts are rusty," and finally he said they were not the bolts that had come out of the fish-plate. Next morning I went there and found the rails were made narrower than before by about three-quarters of an inch; the spikes in from four ties back showed that they were pressed down by direct pressure, which showed that the spikes were there and not drawn. If the rail had been removed the main wheels would have hit the flanges when they came there, which they did not do, for there were no marks but only the small coach wheels, showing that the drivers went on the rail, which they would not have done if the rail had been removed.

Q. What is the name of the section foreman that showed you these bolts?—A. I am not acquainted with his name.

Q. You do not know him?—A. I do not know him.

Q. How long after this trouble was it that you were out there?—A. The afternoon of the same day.

Q. Was more than one fish-plate moved?—A. There was no fish-plate. The angle-irons showed dents on it where it was turned over and went over with the rail.

Q. Was there any fish-plate moved at all?—A. I cannot say; I suppose they were in the place.

Q. State whether any fish-plate was moved.—A. Well, Jesue Christ could not tell that.

Q. We want no more such language. I am trying, I hope honestly and impartially, to get at the facts as to this thing, and I desire a respectful answer. Now, tell me whether or not you can tell that the fish-plates were moved or not.—A. I believe they were moved when the train went over.

Q. Was it possible for you to tell whether they were moved or not?—A. By my taking the angle-iron, I made my opinion by looking at the place, and it showed it was dented, which made it clear to my mind that it was there when the accident happened.

Q. Did you notice whether there was any fish-plate that was bent or put out of shape?—A. There was no fish-plate there that I noticed. They are both one and the same thing in effect. A fish-plate is screwed against the rail in the same place, and the angle-iron is upon the cross-tie on the bottom of the rail.

Q. In fastening these rails together, is there a plate upon each side of the rail?—A. Yes, sir.

Q. What is the name of the piece on the outside of the rail?—A. Well, what I would call the outside of the track on the side next to the ditch.

Q. Has the plate that is on the outside of the rail any distinctive name by which it is known by a railroad man?—A. It is known as an angle-iron.

Q. And what on the inner side?—A. It is also known as an angle-iron; that is their proper name.

Q. Are you a railroad man?—A. Yes, sir.

Q. Are you a tracklayer?—A. No, sir.

Q. What are you?—A. A blacksmith.

Q. At the time that you got there these spikes had been redriven into the ties?—A. Yes, sir.

Q. All of them?—A. Yes, sir.

Q. Did you observe whether or not there were any marks of a claw-bar on the tie?—A. There were different marks. They had been working there that day.

Question. The rail had been replaced and the train had passed over before you arrived there?—Answer. Yes, sir.

Q. (By Mr. PARKER.) Were the ties sound?—A. There was one, in one place, where we pulled a spike out that was not. Some of them were sound; some were not.

Q. Were the ties sound at the point where the angle plates were?—A. For three ties back I should judge they were.

Q. Now, who was the section foreman there?—A. The section foreman has changed since then; he was another man.

Q. Who was the one at that time?—A. I cannot think of his name.

Q. Was it not Tom Gordon?—A. He went out and examined it with me.

Q. He and you were strikers?—A. Yes, sir.

Q. He had been a section foreman of the line at that point?—A. Yes, sir.

Q. (By Mr. BUCHANAN). Do you know whether or not Marshal Reagan brought the bolts into town?—A. No, sir; I do not.

The CHAIRMAN. Did John Hanson examine the broken rail?—A. Yes, sir.

Q. Did you ever get the wages of 1884 that were to be restored under the Hayes agreement?—A. I did not.

Q. Did you ever apply for them?—A. Yes, sir.

Q. To whom?—A. I applied about four times to Mr. Crosby.

Q. What reason did he assign for not giving them to you?—A. He said he would see about it.

Q. Did you ever put it in the hands of the local grievance committee of the Knights of Labor?—A. No, sir; I applied also to Mr. Ogle, and also to Mr. Walsh, in the office. I have a little more testimony I would like to give in as to the cause of the strike. I was put there in the shop six months or so before Mr. Hall came to take charge. I was working under Mr. Ogle. I made lots of irons for Mr. Ogle, and they were made right as he ordered them, and he had some of them altered, and he had to have everything altered. I made any amount of irons in the same way, and they had to be altered. I went over into the other shop, because they could not get it done in this city, and worked there. I found that they were wanting material to work up. I also found that they were shipping off what supplies I was making and throwing it into the stock pile. I remonstrated with my boss, and with Mr. Hall himself, and they told me they were ordered to do it and that it was none of my business, and I should keep my tongue still. I was up in the hall when they said they had a pile of grievances that high [indicating]. They told me it was none of my business to go before Mr. Crosby, but it was my business to obey orders and not be talking about what I found out.

Q. That does not get down to the cause of the strike.—A. The cause of the strike?

Q. You said you wanted to say something about the cause of the strike. You are not now telling anything about the cause of the strike.—A. The cause of the strike was simply because they would not let us have a little investigation.

Q. Investigation of what?—A. Investigation to see what was the trouble that this material was causing. The Knights of Labor claimed that the cause was—so much as I understood it—the cost of the work was so much more than it was before. Here was a man named Butler, a spring-maker in the factory; he had a grievance in. He was working at a fire that he could or should get \$3.75 on, and he got only \$3. These are some of the men's grievances. They did not go out on Hall's account; and if Mr. Crooby had allowed them an investigation they could have settled it right there and then.

JOHN HANSON sworn and examined.

By the CHAIRMAN:

Question. Did you examine the broken rail that has been spoken of?—Answer. I never saw any broken rail.

Q. The misplaced rail, then?—A. I examined the place where the railroad company reported that they had a misplaced rail. If the rail had been misplaced the engine would have gone over in the ditch. I went over there and, as Mr. Breen stated, we found where the old spikes had been. The rail had been taken in an inch in some places, and an inch and a quarter—from three-quarters of an inch to an inch and a quarter. The track had been that much too wide. If the rail had been misplaced when the engine went over it would have gone off. But the engine never got off the track. They had an engine, baggage-car, and two coaches, and the last coach went off. If the rail had been misplaced they would have gone off. I could see no indication that the rail had been misplaced. I saw the angle-iron there. We thought we would not go over there until we saw Mr. Reagan, and he sent deputy marshals out with us. When we got there we found one of the plates, and told these men that the ditching of this train was by the spreading of the rails. I have seen rails spread all over this road, and I have been all over the road from one end to the other. Mr. Reagan, I think, told me that he had the bolts and angle-irons in the office; I think he told me that, but I am not positive. When I went out there to the section foreman I asked him where the bolts and angle-irons were, and he said that, "Reagan has got them at the office."

Q. Is it your opinion, then, that the rail was not misplaced?—A. Yes, sir; it is my opinion that it was not misplaced.

Q. What was the cause of the accident?—A. I think the rail simply turned over. The heads and backs of the spikes showed that they had been turned back two inches from the rails and imprinted on the ties on the outside of the rails. I could see no print of any claw-bars whatever on the inside.

Q. (By Mr. BUCHANAN.) Was there more than one length of rail turned over, in your judgment?—A. No, sir.

Q. Are these rails connected by plates and strips of iron on either side, bolted through and through?—A. They are supposed to be.

Q. Unless these strips were unbolted could one rail only turn over?—A. It could turn over in the center.

Q. And the ends remain fastened?—A. Yes, sir.

Q. By the spring of the rail?—A. Yes, sir.

Q. What time of the day did you get out there?—A. Two o'clock in the afternoon.

Q. You spoke incidentally of having gone out with the committee; what committee did you refer to?—A. That day there was a meeting of the assembly and they appointed a committee to go out there, and get some deputy marshals to go with us, to see if we could tell whether it was a misplaced rail or simply an accident.

Q. And were the committee representing the Knights of Labor?—A. Yes, sir.

Q. Do you remember the name of the marshal that went with you?—A. No, sir; I did not know one from another.

GEORGE N. BIBB recalled and examined.

By the CHAIRMAN:

Question. Where did you work when the strike took place in March, 1886?—Answer. I was working at the freight shops.

Q. Did you make out the record for the shop?—A. Yes, sir.

Q. How many cars were taken out in the four months during which Mr. Hall was foreman?—A. One hundred and ninety-six.

Q. Had Mr. Hall any trouble in getting material?—A. During the time Mr. Hall was there it was very seldom that we had suitable stock in the yard at all.

Q. What does form 917 show?—A. Form 917 shows the cost of the material and labor on each car that has gone out of the shops separately.

Q. During what period?—A. It is made out each month.

Q. Is it called form 917 every month?—A. It is a railroad form we call form 917. This car was repaired at such and such a station. The station is left blank.

Q. What was done with this form 917 when filled out?—A. I made it out each month and turned it into the master-mechanic's office.

Q. Then you kept it in your possession?—A. I suppose it is turned into the master-mechanic's office.

Q. What does it show?—A. It states the material and labor on each car separately, and how much money was spent on every car that was turned out that month.

Q. If we had possession of form 917 we would be able to determine what was the cost of each car?—A. You would be able to find out by referring to the form and get the figures for the material. Form 917 will show, say: car 2049; 400 pounds of bolts; 300 pounds castings; so many carriage bolts of such and such a size, and so forth, and you could figure out the cost in that way. All the details are given, whatever they are.

Q. Did you not estimate the cost of repairs for Mr. Crosby?—A. Yes, sir; for the master car-builder and the general foreman. For instance, when a car was wrecked on the road the conductor was instructed to send a report to the superintendent as to what the damage was on this car, and when these things came in Mr. Crosby, as a general thing, brought them down and I figured on that as to what it would cost to repair that car, and what was the damage on the car.

Q. What was your occupation at the time of the strike?—A. I was on the rolls as a car-repairer, but I was virtually shipping clerk.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Did you go out on the strike?—A. Yes, sir.

Q. What caused you to go out on the strike?—A. Well, sir, it was to settle the grievances we had.

Q. Did you settle them?—A. I do not think we did.

Q. Are you still out of employment?—A. Yes, sir.

Q. Are you a married man?—A. Yes, sir.

Q. How many children have you?—A. Two.

Q. How long have you been a Knight of Labor?—A. I think I went to work in the shops at the turning mill last June. I think I became a Knight of Labor somewhere about June, 1885.

Q. You have not been a Knight of Labor a year?—A. No, sir.

Q. What is understood by "a strike"? You say that you went out on "a strike." What do you mean by "a strike"?—A. It is this: When all means have been exhausted to get a hearing of grievances, then our last resort is to strike.

Q. What is a strike?—A. It is for all the men to quit work.

Q. Is that all?—A. And try and get, by quitting work, the company to recognize them and get a settlement of the grievances so that we may go to work again and work peacefully.

Q. Did you know that this road was in the hands of a United States court and that the receivers were mere officers of the law?—A. I knew that it was in the hands of the United States court.

Q. How did you expect to redress all your grievances by going out on a strike against the United States court, backed by all the power of the Government, with its marshals, deputy marshals, and soldiers, if necessary. Did you take that into consideration at all?—A. Well, I did not manage the thing, you know.

Q. Can you give any opinion?—A. It was my opinion that we would have a right. We had settled grievances in the hands of the receiver on the Texas and Saint Louis over here, and we thought we could get ours settled. That was my opinion.

Q. You thought that if those receivers settled grievances receivers on every road could?—A. Yes, sir.

Q. Did you stop to consider what would have been the effect if those receivers did not act?—A. I never thought of the consequence.

Q. You know what they are now?—A. Certainly.

Q. You would not strike against the United States court now?—A. I have had more experience in strikes now. I do not want any more.

Q. Had you any grievances against these receivers except the Hall complaint?—A. Oh, yes, sir.

Q. What?—A. Well, we wanted to have some understanding with them; we presented our—

Q. But that is in the future. Had you any grievances against the receivers except the Hall case? We do not want what took place before the receivers were appointed.—A. I am speaking of since the receivers were appointed. We presented certainly the Hayes agreement and another agreement that we wished to get signed, so that the men would understand how they stood.

Q. You wanted to make the receivers parties to the Hayes agreement?—A. Yes, sir; and we wanted to have some understanding and know how we stood. And if we found that they would not adopt that agreement every man felt fully satisfied that he was liable to be fired any day.

Q. You say that there was some uneasiness among the men. That they feared they might be turned out at any day?—A. Yes, sir.

Q. Well, now, they had been working some little time—several months—for the receivers, and had not been turned out; why, then, should this uneasiness exist?—A. They just supposed now would be the time for them to get even with them for last year.

Q. But were the receivers parties to the matter last year?—A. No, sir; the receivers were not parties to last year. I mean the local officers. The men just thought that if the foremen or any of them had any little spite against a man it would be a good time to get even with them and turn them out.

Q. Had anything of that kind been done?—A. The only case that I know of was Hall.

Q. The men were not anticipating trouble?—A. They just thought they would have trouble before it ended.

Q. And to avoid that they wanted to have this man reinstated?—A. We wanted some understanding so that we could have harmony.

Q. Did the receivers decline to become parties to the agreement?—A. That is, the general officers did.

Q. Is it true that there were seven propositions submitted to the receivers?—A. They were points that had been agreed to with Mr. Cumming.

Q. Did the receivers not decline to agree to these seven propositions on the ground that they had no authority to do so because they were officers of the United States court and not authorized to act?—A. I knew that Governor Brown's reply was that as receivers they could not sign any old contract—that the receivers were officers of the court.

Q. Was not that reply satisfactory?—A. But since then I understand that they have signed the engineers' contract.

Q. Have you any witness to prove that fact?—A. I do not know whether I can prove that fact. I cannot prove it, because I cannot prove it by myself; but, of course, you can question the engineers about it.

Q. Do you mean to leave this impression, that while they said they were unwilling to enter into any agreement with you on the ground that they were officers of the court, they have since that time made agreements with some other organizations?—A. Yes, sir; with some other organization. One of them they reinstated, and have given him \$2 more since he has been out.

Q. You do not state that as a fact?—A. I state that upon rumor; it is a fact, but I do not know it of my own personal knowledge.

Q. I understood you to say that a strike consisted of a simple walk-out of the workmen?—A. Yes, sir.

Q. And that it does not include threats, intimidation, or violence to be used against any employés of the company who may take the place of the strikers or the old employés who remain at work.—A. No, sir.

Q. It does not include, I presume, the use of violence towards the property of railroad incorporations?—A. No, sir.

Q. It does not include the injury or destruction of the property?—A. No, sir.

Q. Nor the jeopardizing of the lives and limbs of passengers who may travel upon the passenger-cars of the corporation?—A. No, sir.

Q. Nor does it include the jeopardizing of the lives of engineers, firemen, or brakemen, or other employés of the company who may be on the freight-cars?—A. No, sir.

Q. Nor derailing coaches?—A. No, sir.

Q. Nor burning bridges?—A. No, sir.

Q. Nor does it include taking possession of the property and preventing traffic?—A. No, sir.

Q. It simply means that the men shall be at liberty to walk out when they please?—A. Yes, sir.

Q. Was there any surplus of laborers in the peculiar line of labor which the railroad companies need in the management of their roads?—A. Not here, sir.

Q. Have not the places of those who walked out been supplied?—A. I cannot tell you.

Q. Have not men come in here from various places, for instance, New Orleans and elsewhere, and from other roads, who have taken the places of the strikers?—A. I have not been down to the shops for six weeks.

Q. Do you not know it to be the fact?—A. I know it from hearsay that they have got quite a number of new men.

Q. Just as you know that there is work?—A. I have never seen them at work.

Q. Do you not know that they are running trains regularly and have been ever since the strike? Could they do it without men?—A. No, sir.

Q. Then they must have secured employés somewhere?—A. Well, the roadmen never went on strike.

Q. Are they repairing cars?—A. Not very fast.

Q. If there be a surplus of railroad employes in the country to take the places of men who go out on strikes and the strikers are not authorized by the principles and the rules of the Knights of Labor to interfere with the employment of new men or the running of trains, whether they be freight or passenger trains, what good can result to the strikers from a strike?—A. You just mean to say if there was plenty of every kind of labor and everything be allowed to go on what good would it do, to strike? I do not think it would do much good.

Q. But if the strikers were not authorized to use violence towards any of the employes, or stop the traffic of the country by use of force, what could possibly result to the strikers?—A. They would be left in the cold I guess.

Q. Where they had acquired homes in a place they would be required to sacrifice them and to leave, would they not?—A. Yes, sir; I suppose they would. A good many of them would.

Q. You are recording secretary of Assembly No. 4959?—A. Yes, sir.

Q. Now I ask you as a high officer and an intelligent man, for you have shown yourself to be one, what is your opinion of strikes?—A. That they are bad things; I think they ought never to be if they can be possibly got out of.

Q. (By Mr. PARKER.) What is the place of your nativity?—A. I am American born. I was born at Frankfort, Ky.

Q. Did you serve an apprenticeship at any trade?—A. No, sir.

Q. Then when you became a car-repairer you did it without having served a regular apprenticeship?—A. I will tell you how that was. When I first came here I went to work in the office as time-keeper. I went to Gouldsboro, and worked there as time-keeper. Then I came back here and went into Mr. Harris' office. He is the car-builder, and they would not allow another clerk to be put on the roll, so they put me down as a car-builder. Then I went to work in the machine-shops boring wheels, temporarily at a dollar and fifty cents a day. Then I went into the office and I was still kept on the roll as a machinist. Then I went down to the freight shop. They could not allow a clerk there and they did not want me to show up as a clerk, so they put me down as a car-repairer.

Q. Did you work as a car-repairer?—A. I worked as a shipping clerk.

Q. Then if you took this place that did not belong to the work how did you get this name as car-repairer?—A. I did not care what they called me so that I got the money.

Q. You wanted the money because you needed the employment?—A. Certainly. I had to live.

Q. When the strike was made you went out?—A. Yes sir.

Q. And you abandoned the company that had given you this assistance; that is the fact, is it not?—A. I gave them as much assistance as they gave me.

Q. Was it not kindness to you to give you that employment?—A. Well, they had to have somebody; if I did not get it somebody else would.

Q. But there was a surplus of labor; then was it not a kindness?—A. I thank the company very much for the position they gave me.

Q. Still you struck on the first provocation; does that look quite right to you?—A. Yes, sir.

Q. Do you not realize that as a workman for the company you have an obligation to the company that you shall work?—A. I took a higher obligation than that to the company.

Q. That is to whom?—A. I joined the Knights of Labor.

Q. That was a higher obligation than to your employer?—A. Yes, sir.

Q. Now do you not know that the wage fund, out of which the men, including yourself, were paid is made up largely by the freighters patronizing the road with their freight?—A. Yes, sir; I know it is.

Q. Do you not know, sir, for you seem to treat this honestly, do you not know it was an injustice to these patrons of the road to join in putting a strike upon them without any notice, throwing their whole business into confusion, side-tracking cars where they happened to be, leaving time and perishable freight where it chanced to reach. Do you know it was an injustice to these men?—A. We claim we did not do that.

Q. But the history of the strike over the whole road shows it?—A. Not on our section. I cannot speak for any other section.

Q. Did not trains stop everywhere on the road?—A. Not here, sir.

Q. Do you not know that was the case all along the roads here for nearly 5,000 miles?—A. I know it was on the Missouri Pacific.

Q. Do you not know, as an intelligent man, that this was the case?—A. Oh, yes.

Q. Was that justice to those men who furnished the wage-fund out of which the men were paid?—A. We claimed that they were treating us wrong.

Q. But the freighters—you are talking about the officials?—A. Well, on that the railroad company ought to have quit earlier hauling freight. We were not responsible to them.

Q. That is all the answer you care to make, is it?—A. Yes, sir.

Q. You are recording secretary of a local assembly, what number?—A. 4959.

Q. Do you know that it was in contemplation among the Knights of Labor in this part of the country to strike early in the season of 1886, before Hall's case arose?—A. No, sir; there was no intention to strike that I heard of.

Q. Until Hall was discharged?—A. Hall's case broke the camel's back.

Q. What was the camel?—A. Well, I will tell you just it. The grievances, as I understood, were piled up. We had fifty grievances at least; Hall's case came just as the district assembly adjourned, and all the delegates had just gone over the shops, the day that his grievance was presented, at night. He was discharged in the evening, about 5 o'clock. A great many of the delegates thought it was meant for an insult on them, and they came to the conclusion that now would be just as good as any time to strike.

Q. Do you mean that the Knights of Labor thought that they were not treated personally with proper consideration, and that that was the cause of the strike?—A. No, sir; they did not consider that the whole cause.

Q. Was that one of the elements which produced this strike?—A. Yes, sir. If they had no other grievances, they never would have struck for that cause.

Q. Then you think their feeling that they had not been received and treated with due consideration was one of the causes of the strike?—A. Yes, sir.

Q. Do you not mean this about it—that it placed them in the dissatisfied, annoyed condition of mind which made them more ready to strike upon some other cause than they would have been?—A. Well, there is no doubt about it. It would not have come for months afterwards, maybe, if they could have got recognition.

Q. Let us look back. Were not these grievances in substance all of them such as existed before the road passed into the hands of a receiver?—A. Yes, sir; some of them.

Q. Almost all of them?—A. I cannot tell you personally about that, because I never was on committees of grievances myself.

Q. Then you did not know really what grievances there were except this in Hall's case and Bassett's case?—A. Hall's case and Bassett's case, and the claim for unskilled labor.

Q. The rest were rumors?—A. I was told of them, and then there was the charge of the bridgemen.

Q. The Bassett case existed before the receivers were appointed?—A. Yes, sir, it did.

Q. As a recording secretary, you had access to the papers and documents and records of the assembly?—A. Yes, sir.

Q. Was not the formal ground stated in the order that the strike was on Hall's discharge?—A. I do not think that it was in our assembly.

Q. Was not there a formal order to strike presented to your assembly?—A. Whether it came there or not I do not know. It was written out.

Q. And there was a copy put on record in your assembly?—A. I never received any copy.

Q. Did you not receive a telegram directing the strike?—A. No, sir.

Q. Was there not formal action by the assemblies pledging them to stand by Martin Irons and the executive committee if the strike was ordered?—A. We never had any such thing in our assembly.

Q. Did your assembly not vote upon the question of sustaining the executive board of District Assembly 101 if it ordered a strike?—A. No, sir.

Q. Upon one proposition?—A. No, sir.

Q. Or two propositions?—A. No, sir.

Q. Or three propositions?—A. No, sir.

Q. Neither the one nor the other?—A. No, sir.

Q. (By the CHAIRMAN.) Is it not a fact that before a strike can be ordered by the executive board of a district assembly that a vote shall be taken by every local assembly in the district as to whether they will sustain the executive in the strike?—A. Yes, sir. I have never seen that order.

Q. Is not a proposition voted upon in each local assembly, or, in other words, could Martin Irons order a strike unless he was ordered to do so by a majority of the local assemblies?—A. I have never seen that letter.

Q. Did not your assembly vote upon any proposition of this character: "Will local assembly No. 4959 sustain its executive board"?—A. No, sir.

Q. You told Mr. Parker that you never had seen the formal order of the strike?—A. No, sir.

Q. How is it that you go on a strike without ever receiving the order?—A. I heard of it somewhere. I heard it from Martin Irons.

Q. He told you orally, did he? Why did you not say that?—A. Yes, sir; he told me orally.

Q. (By Mr. BUCHANAN.) Do you take such important action as that upon mere oral statement? Do you not require a written order?—A. No, sir.

Q. (By the CHAIRMAN.) Do you know any reason why your assembly was not called upon to vote upon this proposition to sustain Martin Irons if he ordered a strike?—A. Well, you mean on that proposition you just referred to, because it originated in our assembly.

Q. Is that the only reason?—A. I cannot tell you that.

Q. What is that documentary evidence which you proposed to introduce?—A. It is evidence in regard to that letter that you asked me about this morning. The letter of George Tamsit, asking him to quit work. This is what I was instructed to do.

Q. Do you desire to introduce this in evidence?—A. Yes, sir.

Q. Then you testify you have written this letter?—A. I just want to say that I did not do so personally at all, but I did it officially.

Q. At the joint meeting of local assemblies 3658, 3765, 4079, and 4959 were you not made secretary, and were you not instructed to notify all members belonging to every assembly to quit work or charges would be preferred against them?—A. Yes, sir.

Q. You can state what you have to say about the matter.—A. I just understood at the meeting of the four local assemblies each secretary was instructed to write to every member that was at work informing him of the action of the executive board, and asking him to quit work at once, and if he came out his interests would be protected. I wrote that letter to George Tamsit which you have on record here.

Q. Your object, I understand, in making this statement is to say that you did write this letter to Tamsit, not as an individual, but as secretary of your lodge, under instructions of the joint meeting of the four assemblies?—A. Yes, sir; and on April 13 I was arrested and charged with contempt of court and charged with writing this as secretary to George Tamsit.

Q. Is that charge still pending?—A. I am charged with intimidation and contempt of court, and am under bond of \$1,500 to appear when called on, or the second Monday of September. That is about all I want to state about it.

Q. Do you know of any other charge against you but that?—A. No, sir.

Q. This is the one upon which you are now under bond?—A. Yes, sir.

Q. And Tamsit was in the employment of the receivers at the time you wrote this letter?—A. Yes, sir; I think he went to work on April 1.

Q. Had any injunction been served upon you before you wrote that letter?—A. No, sir.

Q. Had any injunction writs been served here before that?—A. I had not heard of any.

Q. Did you hear Marshal Reagan read his writ?—A. No, sir.

Q. What wages were you receiving?—A. Two dollars and twenty-five cents a day, and got every day in the month.

Q. Were you a member of the local committee that had the grievance of Mr. Hall's in charge?—A. Yes, sir.

Q. Did you vote for or against the proposition to go to Dallas and see Governor Brown about it?—A. You mean that proposition that has been spoken of here? I do not remember of it coming up; it may have come up. There was so much I had to do—all the writing for the board at the time—and may be I was writing, and never heard it.

Q. (By Mr. PARKER.) Was not a notice given to the engineers to lookout, and that it was unsafe for them to run on the road?—A. I never heard of it.

Q. Had not you a hand in advising the discharge of the foreman upon the request of the Knights of Labor?—A. Not to my personal knowledge. I knew the Rogan case of my personal knowledge, but that was before the receivers were appointed.

Q. That is all that you know of it?—A. I know the full circumstances of how he was discharged.

Q. Do you not know of other foremen being discharged at their request?—A. Ogle was discharged at their request.

Q. Do you not know of other foremen?—A. I do not know any.

JOHN HANSON recalled and examined.

By the CHAIRMAN:

Question. I am requested to ask you whether you are still in the employment of the company.—Answer. No.

Q. You had stated that you were in the employment of the Texas and Pacific road?—A. Yes, sir.

Q. Was employment denied to you?—A. Yes, sir.

Q. Upon what ground?—A. They said that I could not have employment on the Texas and Pacific road any more.

Q. Why?—A. The chief clerk and Mr. Schofield and Mr. Wardrow said I could not work on the Texas and Pacific road, and that it was their business to see that I should not. That was the only reason they gave to me. I asked them if I was on the black

list; they said, "We have no black list; we have what we call an objectionable list." They said, "It is not a black list; only you cannot work on the Texas and Pacific road."

Q. Was any cause assigned?—A. They would not give me any cause whatever.

Q. (By Mr. PARKER.) Did you expect that they would employ you after the disturbances which occurred?—A. I expected they might as well employ me as anybody else. I certainly did expect they would employ me.

THOMAS I. LOGAN sworn and examined.

By the CHAIRMAN:

Question. Were you in the employment of the Texas and Pacific road at the time of the strike, on the 1st of March, 1886?—Answer. Yes, sir.

Q. What position did you occupy?—A. I was telegraph operator in the train dispatcher's office.

Q. Did you go out on the strike?—A. No, sir.

Q. Are you still employed by the company?—A. No, sir; I was discharged on the 6th of March.

Q. Why were you discharged?—A. For refusing to sign a contract denouncing Knights of Labor and other organizations. They said we were required to do that or be discharged.

Q. Who told you that?—A. J. J. Kertin, chief train dispatcher.

Q. Have you a copy of that contract?—A. He said it was a contract denouncing Knights of Labor, and I would sign it if I wanted to remain in the employment of the company; if not he would discharge me at 7 o'clock.

Q. What time was that?—A. It was about 10 minutes to 7.

Q. Did you agree to sign it?—A. I told him I could not sign any contract of that character bearing on any organization.

Q. Were you discharged on that ground alone?—A. That was the only reason that was given.

Q. How long had you been employed by the company in that capacity?—A. I had been in that office something over a year.

Q. Had any complaint been made to you about the character of your work?—A. No, sir; only a week previous I had made application for promotion, and he said he appreciated the work I was doing and he would take it under consideration. He gave me encouragement to believe he would promote me.

Q. Were you a Knight of Labor?—A. I had joined the order, but I was not a member in good standing. I had not been to an assembly meeting except the night I was initiated in the order.

Q. How long was that before the strike?—A. I cannot say exactly, but about last June—I expect May or June; about a year ago. I was not a member in good standing in the order. My work was such that I could not attend the night meetings.

Q. Was there any violence used upon you to compel you to sign this contract?—A. No violence was used, except by the looks of it. When Mr. Kertin was talking to me the porter of Mr. Dimick came in and handed him a revolver when he entered.

Q. Was there anything unusual in that? Did you look upon that as a threat to compel you? Did he point the pistol at you?—A. I just thought it looked rather strange.

Q. Is it not possible that the mere handling might have been accidental?—A. Well, if it had not happened at that particular time.

Q. Did you ever hear any person in the employment of the railroad company say that the Knights of Labor ought to be driven out of the town; if so, who was it and when was it said?—A. Yes, sir. I heard Mr. Kertin make that remark a day or two before he discharged me. He made the remark there—not to me, but to the dispatchers on duty in the evening, that if the railroad company beat the Knights of Labor they ought all to get out, and that one of them ought to be killed.

Q. Did he express that as his individual opinion?—A. That was his individual opinion—at least I took it for that.

Q. Were any officers of the railroad company present besides Mr. Kertin?—A. There were two division superintendents in the office when he was talking, Mr. Dimick and Mr. Thorn.

Q. Did he say that he was required by the company to compel you to sign that contract?—A. He said he did that himself, and he told me to go to the executive board of the Knights of Labor and tell them they could not reinstate me in that office, and that there are not Knights of Labor enough in the United States to compel him to do so.

Q. Did you complain to his superior officer that he had done this?—A. I spoke to Mr. Dimick, the division superintendent, about it several days after this trouble was all over, when he came to me.

Q. Have you made any complaints since the trouble was over?—A. No, sir; I have not.

Q. Why not?—A. Because I have not had an opportunity; I intended to see some of them as soon as an opportunity offered.

Q. You did not think that the receivers of this company would sustain a man for discharging you upon the ground that you would not sign a contract denouncing all labor organizations in the country, did you?—A. I did not believe they would.

Q. Then why did you not go to them?—A. I saw nobody to tell it to but the committee.

Q. (By Mr. BUCHANAN.) Who requested you to come and make this statement?—A. As I understand, the committee that is getting the evidence together for this Congressional committee.

Q. Did any one of these gentlemen request you to come and make this statement?—A. Yes, sir; there were several.

Q. Did they know what you would testify about?—A. Well, almost everybody knew; everybody knew what I would testify about.

Q. Then you have stated freely the single cause of your discharge?—A. I had no object in asking them to have me called. I think it has been publicly known.

Q. For some time?—A. Yes; because it was on the 6th of March that I was discharged.

Q. Who was present when this request was made of you and this revolver was handed? Give us the names of all present.—A. Joe Hassler was the train dispatcher on duty.

Q. Where does he live?—A. He lives here. He is on duty at present.

Q. Who else?—A. Steve, I think his name is, Edwards and another porter there, I do not know what his name is, and Mr. Dimick and Mr. Thorn, came into the office while Mr. Kertin was talking to me. Mr. Thorn is now division superintendent. There were two or three others in the room at the time.

Q. Two or three others connected with the road?—A. Yes, sir.

Q. (By the CHAIRMAN.) Did not Mr. Kertin discharge you for disclosing the contents of a message, and for not sending messages promptly?—A. No, sir. Of all messages received we keep a copy in the book on the table; every message was handed to me.

Q. Did not Mr. Kertin charge you with disclosing the contents of a message and not sending messages promptly?—A. No, sir.

JOHN WOODS sworn and examined.

By the CHAIRMAN:

Question. You have been about four years in the employment of the railroad company?—Answer. Yes, sir.

Q. In what capacity?—A. I worked at the time in the freight department; part of the time in the truck department.

Q. As a laborer?—A. Yes, sir.

Q. As an unskilled laborer?—A. I worked with the bridgemen.

Q. Were you a Knight of Labor on the day the strike took place?—A. Yes, sir.

Q. Did you go out?—A. Yes, sir.

Q. What made you go out?—A. I went out on the strike to get my wages raised.

Q. Was that a cause upon which the strike was ordered, and did you think that if you went out the result would be a general rise in wages and that you would be a beneficiary?—A. I did not think that.

Q. What did you think?—A. Our grievances had been presented to the superintendent, Mr. Cumming, and he had never paid any attention to it before the receivers came here. He said the road was going into the hands of receivers, and he could not do anything for them, but would present them to the next superintendent who came.

Q. Was that done?—A. Yes, sir. I do not know whether it was presented to him or not.

Q. What makes you say it was done if you do not know?—A. Well, we put them in the hands of a delegate from every gang, and they said they had presented them to Mr. Cumming.

Q. Have you ever had any grievances against the receivers since they took possession of the road?—A. We still have the old ones.

Q. But they were against the former management?—A. I think they were presented to the receivers.

Q. The receivers were not a party to the original Hayes agreement, were they; the road was in the hands of another management?—A. Yes, sir.

Q. The receivers did not take possession until December, did they?—A. I think it was in December.

Q. And the agreement presented was entered into in March, 1885—the Hayes agreement?—A. I was not working on the road then.

Q. You must have been working on the road. Did you not know that agreement was made in March, 1885?—A. Yes, sir.

Q. And the receivers did not take possession until December, 1885?—A. No, sir.

Q. How many men constituted a gang in March, 1885, or before that time?—A. In March, 1885, there was a difference. There were ten in some gangs and some gangs there were not so many.

Q. Did you work for the road in March, 1885?—A. No, sir; I worked part of 1885.

Q. How do you know this fact, then?—A. I was not working in March, but I commenced with bridge gangs after that.

Q. What pay were these men getting?—A. In March, 1885, they were getting from \$1.50 up to \$2.60.

Q. Were they getting time-and-a-half for overwork?—A. I never got time-and-a-half for overwork.

Q. Were they allowed time-and-a-half for Sunday work and working in water?—A. In the bridge department they have no work on Sunday, but are only pulled over the road.

Q. Did you swear to this paper [showing affidavit before J. P. Alfred, clerk of the county court, on the 22d day of April]?—A. No, sir; I signed it after it was sworn to.

Q. Did you swear to it?—A. No, sir; Burnett swore to it and he read it over.

Q. (Reading:) "Sworn to before me this 22d day of April, 1886." I find your name and E. F. Crowley's all there?—A. Yes, sir. [The paper not being sufficiently identified was not admitted.]

Q. (By Mr. PARKER.) At what kind of work were you employed for the railroad company at that time?—A. Working for the bridge department.

Q. What wages did you receive in September, 1884, while at work on the road?—A. I was working in the track department.

Q. How much did you receive per day in September, 1884?—A. I only got \$1.25 a day in September, 1884; but I was working in the track department.

Q. You afterwards made a new bargain with the company to work at something else, did you not?—A. I hired to the foreman of the bridge department.

Q. At what time was that?—A. I believe that was in August, 1885.

Q. What were you receiving per day in that branch?—A. I was receiving \$2, and to rise the first chance. I never got it, though.

Q. You were receiving \$2 a day, with encouragement as to promotion?—A. Yes, sir.

Q. When the strike occurred, what were you receiving?—A. I was receiving the \$2, and I was promised a rise the first chance.

Q. Then you were receiving 75 cents a day more when you struck than you did for the work you had under the agreement of the 15th of March?—A. I was telling you that I was not working about the 15th of March. I had been laying off. I had been sick.

Q. Have you seen that agreement of the 15th of March?—A. I never saw the agreement, except in the paper.

Q. You do not claim that you came under the Hayes agreement, do you?—A. I was not working. I came to work after the agreement.

Q. But you did not understand that you came under that agreement?—A. I did not ask anything about that agreement.

Q. Had the foreman the power to promote you?—A. Yes, sir; he claimed to have the power.

Q. Was he a Knight of Labor?—A. Not that I know of.

Q. What was his name?—A. George Murphy.

Q. You do not know whether he was a Knight of Labor or not?—A. I cannot say.

Q. He went out on the strike, did he?—A. No, sir; they came and telegraphed there that the men of the full gang were to be laid off.

THOMAS MURPHY; affidavit.

The following statement of Thomas Murphy it was agreed should be put in evidence as if he were present. It was sworn to and subscribed before C. H. Smith, notary public, Grayson County, Texas.

The wages of the bridgemen in 1884 were cut before September; there were 4 men put in our gang at \$1.75 per day the 1st of July; and the \$2.60 were cut to \$2.50 the 1st of August. The 1st of September the wages were as follows: In a gang of 11 men, 1 man at \$2.75, 4 men at \$2.50 per day, and 1 at \$2.25, and 1 at \$2, and 4 at \$1.75 per day.

We were cut to the 20th of November, 1884, to nine hours per day, and the wages were cut March 1, 1885, to 1 man \$2.60 per day, 4 men \$2.40, and 2 men \$2 per day, 3 men \$1.50. There were 10 men in our gang then. The 1st of November the 150 men were raised to \$1.75, and a \$2 man cut to \$1.75. The 3d of November we were notified that we would be cut on the 5th of November to nine hours per day. In regard to moving nights and Sundays, we were moved more times at night and on Sunday than we were

during the week days. We were moved from Edgewood to Hanley Sunday, August 23, 1885, and got no time for it, and got no time for moving any night, except in case of a burn out.

THOMAS MURPHY.

Sworn to and subscribed before me this April 26, 1886.

[SEAL.]

C. H. SMITH,
Notary Public, Grayson County, Texas.

HENRY STEWART sworn and examined.

By the CHAIRMAN :

Question. Mr. Litchman tells me that you desire to be examined in regard to the evidence of the officers of the road during the day session. What have you to say about it?—Answer. In one case there, I believe I heard a man by the name of Griffin say something about my going on an engine. I was special policeman at the time, and I heard some quarreling inside the cab there. I saw they were quarreling, and I went on the engine, and said, "What is the matter here?" One fellow said, "This fellow here came here and has insulted me," or something of the kind; and I turned on that fellow and said, "What are you doing here?" I asked him, "Where are you taking," or "what are you doing with this engine." And this fellow Griffin turned around to me and gave me some words. I jumped on the engine and told him I would have none of that business at all, and told him to keep still. I told him I was an officer, and I did not intend to see any more of it. I did not have anything more to do with it. I understood another fellow to say that I ordered him off his work, or something of that kind. I do not exactly know how it is. I know there is a man that I saw about two or three nights in the yard on the railroad premises, and I asked him, "Did you hear the order that we were out?" He says, "No." And I says, "We are ordered out, and all the Knights of Labor are to quit work. You can do as you please. It is not for me to say, but you can do what you please about it."

Q. Did you go out on a strike?—A. I did.

Q. Were you a Knight of Labor?—A. I am.

Q. Were you at that time?—A. I was.

Q. Were you in the employment of the company?—A. I was.

Q. Where?—A. In the carriage department.

Q. What was the cause of the strike?—A. The cause was that they did not comply with the terms of the agreement—the Hoxie and Hayes agreement.

Q. You are speaking of the receivers?—A. Well, the receivers at that time had hold of it, and they did not comply with it either.

Q. Was there any grievance presented to the receivers under the Hayes agreement that you know of?—A. I went to Mr. Brown once and showed him that contract, the Hayes and Hoxie agreement. He told us he had no objection to the agreement at all. I believe he told us he wrote that agreement; I am pretty sure he did. He was the founder of the contract, or something of that kind. He said he had no objection to the contract when I asked him. We told him we had some grievances, and we would like him to hear them. He did not hear them at that time, but said, "If anything happens let me know, and we will settle it." We told him there were some matters not going on right, and he said if anything was not going right to let him know and he would settle it.

Q. Have you applied for re-employment on the road?—A. I need not apply for employment. I saw the head clerk there, Merritt, and asked him about it. I said, "Mr. Merritt, I understand my name is in the black list." He says, "Yes, it is on the black list." I said, "That is all I want to know; good bye," and I walked out.

Q. When you speak of Mr. Brown do you mean Receiver Brown?—A. Yes, sir; that is the same gentleman.

Q. Where did that conversation take place?—A. I was with Mr. Davis and two or three others when it took place.

Q. When was that?—A. Right when the road went into the hands of the receivers. I believe it was his first trip over the road. Mr. Davis was spokesman.

Q. Do you mean to say that Governor Brown told you that he was the father of the Hayes agreement?—A. I understood that he said he had no objection to the agreement. I understood him to say that he was the one who wrote it.

Q. That is, he was the one who wrote the Hayes agreement. Do you say positively also that Governor Brown said that he had no objection to the agreement as applied to the management of the Texas and Pacific. In other words, that he would be satisfied to act under it.—A. I did not say he would act under it, but he had not any objection to the agreement.

- Q. Did he leave the impression that he would act under it?—A. No, he did not.
- Q. Did not Governor Brown positively refuse to ratify it or confirm it or become a party to it in any way?—A. He refused to sign it.
- Q. He said he did not object to it just as it affected other roads?—A. He did not see anything in the agreement to interfere with his business, but said he did not have any objection to the agreement. That was the way I understood him to state it.
- Q. What is your understanding as to his meaning—that he intended to be governed by that in the regulation of the road?—A. No; I did not suppose that he did.
- Q. Did you present several grievances to Governor Brown that day?—A. No; we did not present any grievances that day, if at all.
- Q. (By Mr. PARKER.) Were you one of the special police?—A. I was.
- Q. Were those police armed at the time they were on duty?—A. The biggest part of them were.
- Q. How?—A. With a six-shooter or pocket-pistol. I know most of them were. I know I had a good one.

THOMAS MYERS sworn and examined.

By the CHAIRMAN:

Question. Have you been employed since June, 1885, in the bridge and building department?—Answer. Yes, sir; up to the 1st of March.

- Q. Did you go out on the strike?—A. Yes, sir.
- Q. Were you a Knight of Labor?—A. Yes, sir.
- Q. What did you go out for?—A. We had been trying to get them to recognize our grievances, and they would not do it before the road went into the hands of a receiver or after. We first presented them to Mr. Cumming on the 15th of December.
- Q. And afterwards to whom?—A. Well, we put it then in the hands of the grievance committee, and they put it in the hands of the receivers, and the receivers would not recognize them and would not receive them at all.
- Q. Would not meet whom?—A. Meet the grievance committee of our order.
- Q. The local grievance committee?—A. Yes, sir.
- Q. Were they employes of the road?—A. Yes, sir; I suppose they were; all that I was acquainted with were.
- Q. Was that before the strike?—A. Yes, sir.
- Q. Was the strike ordered because you did not get your grievance redressed?—A. Well, I do not know. At the time the strike was ordered I was out on the road. I did not know exactly what the grounds were for the strike. I think there were several demands before the strike was ordered, and not for the bridge and building department alone. From the 15th of March to 19th of January we were seeking for pay, and then we were put off again and asked to give them a little more time. We were out on the road when the strike occurred.
- Q. You did not know what the strike was for?—A. No, sir.
- Q. You were ordered out and went out?—A. Yes, sir.
- Q. (By Mr. PARKER.) Have you any personal knowledge yourself that any of those grievances were presented to either of those receivers?—A. Well, I think they were, but I have no personal knowledge of it.

CHARLES A. HALL sworn and examined.

By Mr. BUCHANAN:

- Question. Where do you reside, Mr. Hall?—Answer. At Marshall, Tex.
- Q. How long have you resided at Marshall?—A. Four years next July.
- Q. Previous to that where did you live?—A. Well, sir; up to within six years ago I lived in Victoria County, Texas.
- Q. How long have you resided in the State of Texas?—A. Thirty-five years.
- Q. Where were you born?—A. In Texas.
- Q. What is your age?—A. Thirty-five last February.
- Q. And occupation?—A. I have been a carpenter.
- Q. Where did you learn your trade?—A. In Victoria County.
- Q. How long have you worked at it?—A. I have worked at it about sixteen or seventeen years.
- Q. At what date were you first employed by the Texas and Pacific?—A. Next July it will be four years ago.
- Q. What at?—A. In the coach-shop.
- Q. Doing what?—A. Working on coach-work, sir.
- Q. Working on passenger coaches?—A. Yes, sir.
- Q. How long did you remain at that employment?—A. A little over three years.
- Q. From that employment what were you transferred to?—A. To the freight-shops, as foreman of the freight-shops.

Q. By freight-shop do you mean the shop in which the freight-cars are made and repaired?—A. Yes, sir.

Q. How many men were placed in your charge?—A. There were about twenty, I think, when I went down, and the force was increased.

Q. How long did you remain in charge there?—A. From the 1st of October to the 17th of February.

Q. From what cause did your connection with the company close?—A. The cause given was absence without permission.

Q. You were discharged?—A. Yes, sir.

Q. Had you been absent from your post of duty?—A. I had been absent from the shop.

Q. For how long?—A. Parts of three days.

Q. Give me the parts of the three days, please.—A. On Monday morning I was in the shop from ten minutes to 7, the time when the whistle blew, until half past 9; then in the afternoon from 1 o'clock, and off and on each morning and evening, Monday, Tuesday, and Wednesday.

Q. What were you absent for?—A. I was attending the meeting of the district assembly 101.

Q. Knights of Labor?—A. Yes, sir.

Q. Where was that being held?—A. Here in Marshall.

Q. Were you absent without leave?—A. No, sir.

Q. From whom did you obtain leave?—A. Mr. Crosby, general foreman.

Q. Where was he when he gave you the leave?—A. It was on Sunday morning, and on the depot platform.

Q. Who was present when he gave you the leave?—A. J. A. Thorburn, of Missouri.

Q. Were there any others near you?—A. Yes, sir; there were two or three others that I was talking to, just at the time I went up and asked permission, and I told them I was going to ask permission next day.

Q. Were they near enough to hear Mr. Crosby's conversation?—A. No, sir.

Q. You are confident of that?—A. I do not say positively that no one else heard; but Mr. Thorburn was the one present that I know of.

Q. What is your recollection of others being near enough for them to hear what was said?—A. I do not think there was any one near enough, though there may have been.

Q. What was the conversation between yourself and Mr. Crosby when that permission was granted?—A. Well, sir, I went up to Mr. Crosby and told him that I would like to get off for two or three days to attend the District Assembly 101, which convened next day, but that I would come into the shop an hour or two in the morning and then a while after dinner. He said, "All right."

Q. Were you a delegate to that assembly?—A. Yes, sir.

Q. From your own local assembly?—A. Yes, sir.

Q. What other position did you hold in that assembly?—A. I was master workman.

Q. How long had you been master workman?—A. Since the 11th of January.

Q. What other cause did Mr. Crosby assign for discharging you?—A. None other, sir.

Q. In whose presence did that conversation as to the cause of discharge occur?—A. No one was present.

Q. Where did it occur?—A. Just close to the shop, near the dry house, which is across from the shops.

Q. Did you present your grievance to your local assembly?—A. I did, sir.

Q. That day or evening?—A. That night; at the meeting that night.

Q. Do you know what was done with it?—A. Yes, sir; I know what was done with it; the committee took it in hand.

Q. Are you a member of that committee?—A. No, sir.

Q. Did you keep track of the course of procedure in connection with that grievance?—A. I do not know that I did, sir. After turning it over to my local it was in their hands and out of mine.

Q. Was it investigated or not?—A. They had me up before them at one time.

Q. Do you know if they had anybody else?—A. They had Mr. Crosby.

Q. And both your statements were taken?—A. They did not while I was present. I would not be very sure, and I am not sure whether any one else was examined or not.

Q. What further did they do about it?—A. I think, sir, when they failed to adjust it they turned it over to the executive of the district.

Q. What effort did they make to adjust it?—A. Now, that I cannot say. The committee themselves would be the best to see about that.

Q. You were not present at any of those efforts? Do you know of any proposition being made to have it brought to the attention of Receiver Brown?—A. By the executive board?

Q. I am speaking of the time when it was still in the hands of the local board, be-

fore it had been passed over to the board of District Assembly 101?—A. I do not know that the local committee took any steps towards placing it before the receivers.

Q. Would it not be the orderly course of procedure for your local committee or assembly to use every effort to have the matter adjusted before passing it over to the board of the district assembly?—A. Yes, sir; with certain conditions.

Q. Name those, please.—A. For instance, the board of the district assembly being here, and having other grievances that they wish to see the receivers in reference to, that was turned over to them to allow them to bring that before the receivers with the others.

Q. Then it sometimes occurs that a local board will turn over a grievance to the district board before they make efforts to have the grievance adjusted?—A. They did in this.

Q. I am asking whether it would have been the orderly procedure?—A. Well, ordinarily I suppose that the local board would have gone with it as far as they could, to the highest official of the road, and then turned it over to the district.

Q. What element was there in this case which took it out of the ordinary course of procedure?—A. Well, sir, the first was the convenience of the district executive to the local board, and the executive board intended to try and see the receivers and settle other matters. That is the way it was done. I think that the District Assembly 101 wished to settle these other grievances. I do not suppose it would have been turned over to them at the time it was but for the fact that they wanted to see the receivers about other grievances.

Q. Do you know whether the district board made any effort to see the receivers? I am speaking now of your own knowledge.—A. Only from hearsay.

Q. Were propositions voted for that a strike would be ordered before the time it actually was ordered?—A. About five minutes, sir, before the whistle blew.

Q. Did you know prior to the five minutes before the whistle blew that your case had been acted upon by the district executive board?—A. I knew that the district executive board were trying to adjust it up to the time that they voted.

Q. Did you also know that they had declined to go to Dallas?—A. Yes, sir.

Q. Do you know what reason they assigned for declining to go to Dallas?—A. I believe one reason given was that Receiver Sheldon had failed in keeping the promise he had made with them, and that they thought if he would break one promise, why the chances were they would not get another, and that the proper way was for the receivers to come here where that part of the trouble was.

Q. Was it one part of the trouble as to whether they would go to the receivers or the receivers come to them?—A. That was not a grievance at that time.

Q. What promise had Governor Sheldon made to that board and broken?—A. This only: When the executive board told him Governor Sheldon promised when he went to Dallas he and Governor Brown would come back and settle the matter—the trouble in the shops.

Q. That was the only promise that they spoke of him having broken?—A. That was the promise.

Q. And did they know whether or not he had been prevented from coming?—A. That I cannot say. They had an interview with him.

Q. Was not the trouble about going to Dallas largely that they desired the receivers to come to them rather than that they should go to the receivers?—A. Well, I do not know that that was it, altogether. I think that if the receivers had shown that they wished to act in a spirit of fairness with the men there would not have been any trouble.

Q. Was not the trouble about going to Dallas largely that they desired the receivers to come to them rather than that they should go to the receivers?—A. I do not know that it was. I cannot say that it was.

Q. What is the number of your local assembly?—A. No. 4959.

Q. Did that assembly vote upon the proposition of whether they would sustain the executive board in demanding your reinstatement or not?—A. No, sir.

Q. Can you explain why that vote was not taken in that assembly?—A. Because the trouble originated in the assembly.

Q. Did the assembly indorse your grievance before it was turned over to the district board?—A. The assembly indorsed the grievance on turning it over to the local.

Q. Do you mean the full assembly or the local board?—A. The full assembly, and they turned it over to the local board.

Q. The grievance was read in open assembly, and by vote of the assembly it was referred to the local?—A. Yes, sir.

Q. How soon after the grievance occurred was it read in open assembly?—A. It was made at half past six and it was read about nine o'clock.

Q. The same day on which it occurred?—A. Yes, sir.

Q. And on what day was it turned over to the district board?—A. I do not know.

Q. You do not know how long the local board had it?—A. I do not.

Q. (By Mr. PARKER.) Did the executive board of District 101 make any formal de-

mand for your reinstatement?—A. I understand that they made a request that I might be put back to my old job in the coach shop.

Q. Did you understand that there was any formal presentation of the grievance to either of the receivers?—A. I understand that the grievance was presented to Governor Sheldon, and he declined to look over the papers on the ground that he had not time.

Q. How long after this grievance of your removal had been referred to the district assembly, was it before this strike was declared?—A. Five or six days after.

Q. You knew of this declaration to strike?—A. A few minutes before. As I stated before, about five minutes before.

Q. Was the formal ground of the strike, as stated, your case?—A. I do not think so, sir; to get at it exactly and fully you would have to go back—

Q. I want to know the formal ground upon which the strike was announced, when it was announced; was there not some ground for the strike announced?—A. Some ground? I do not know that I understand.

Q. Was not some ground given by the board to the officer ordering the strike?—A. I suppose they gave some ground for it.

Q. Was not that ground your discharge and the refusal to reinstate you?—A. A ground that was given by the board?

Q. Was not that it?—A. Well, I cannot say that it was or that it was not; because, not being employed by the company at that time, I, of course, received no order to strike.

Q. But did you not, from your acquaintance with the movements of the order, and your acquaintance with those having charge of the order to strike, know that that was the ground that was set forth?—A. That was the precipitating cause; but I do not think it was the cause.

Q. I want to keep to the ground announced for the strike?—A. I do not know that I can answer that.

Q. There was no power to order a strike without explanation and excuse?—A. As I understood there were several propositions submitted to the assemblies to vote upon, and in those was a proposition, "Would they sustain the executive board?"

Q. What were those specific propositions?—A. The propositions were these: I only know them from hearsay, that they were submitted to my assembly. But they were submitted to the assemblies by the board of district No. 101. One was that unskilled labor be paid \$1.50 a day, and that the bridgemen receive time and a half for over time, and the restoration of the September (1884) pay.

Q. Were these all the questions that you recollect?—A. And recognition.

Q. Recognition of the order?—A. Recognition of the order was another.

Q. Officially?—A. Officially.

Q. And then yours is a fourth?—A. And then my case came on at the tail end.

Q. And the strike did not occur until your case arose?—A. As I said just now, that possibly precipitated matters.

Q. Were you aware at any time during the early months of 1886 that a strike during the season was anticipated?—A. Well, I can only answer that by giving, or rather going into, the unsatisfied feeling of the men in regard to the keeping of what is known as the Hayes agreement. Of course it was talked about that there would be a general strike throughout the country on the 1st of May for shorter hours. Prior to the strike of 1885 the wages, as you know, I suppose, from evidence taken, had been cut time and again, which brought on the strike of March, 1885. Then there was an agreement entered into and signed by the officials of the road agreeing to do a certain thing. Well, their failure or attempted evasion to comply with this agreement, or their failure in other instances, created a spirit of discontent among the men. But a short while back the Wabash road was thrown into the hands of receivers, and the old men upon the road had their wages cut, and it was found that just what the officials chose was done. It was believed by the men upon this road that this road was placed in the hands of a receiver for the same purpose. These receivers refused to recognize the Hayes agreement. Of course the men lost that interest they otherwise would have had, and it created a spirit of unrest amongst them.

Q. Do you mean that a feeling and an impression existed among the men that there was some bad faith in the road going into the hands of receivers?—A. Yes, sir.

Q. And that that was one of the elements of their disappointment?—A. That was one of the causes of discontent among the men, seeing from past experience the fact that when roads had gone into the hands of receivers there was a reduction of wages.

Q. You were aware at the time you were discharged that the road had gone into the hands of receivers?—A. Yes, sir.

Q. You knew that the Hayes agreement provided for the restoration of wages to the scale paid in September, 1884?—A. Yes, sir.

Q. You also knew, did you not, that the receivers as such would have no power to pledge this road to that agreement without the consent of the court was first obtained?—A. Well, as I have said, if the receivers had asked the permission of the

court to sign it and so notified us, or that they would have asked the permission of the court to sign it, then that spirit of discontent would have died out.

Q. At what date was the Hayes agreement presented to the receivers?—A. I am not exactly positive as to that. Some time in January, I think.

Q. You have said something about the wish for recognition on the part of the Knights of Labor. Had the Knights of Labor been increasing with great rapidity at that time in numbers?—A. Yes, sir.

Q. And that was well known by the members of the order generally?—A. I suppose that it was, that they were increasing in membership.

Q. And that they were becoming very strong?—A. Well, I do not know about that.

Q. Especially on this Southwestern system?—A. They were pretty strong in numbers, but not exactly in the principles of the order.

Q. Was it your understanding that one of the objects of the strike was to make your opponents feel the power of the order, so as to respect its demands more quickly the next time?—A. The recognition that labor had or should have with the officers of the road gained gradually in the government of the road, that is, in the wages that should be paid men for certain classes of work.

Q. One of the objects was to make the railroad officials understand that they should recognize the officials of the Knights of Labor as such in adjusting grievances and differences?—A. Yes, sir.

Q. And that your removal at that time was treated by the local assembly of the Knights of Labor as a slight to the officials of the order as such. Was that one of the elements of disturbance?—A. Well, as several of the delegates present expressed themselves, they considered it an insult to the order at large.

Q. And that they were in part resenting that insult by ordering this strike?—A. The delegates did not order the strike. The local assemblies themselves ordered the strike.

Q. The local assemblies in their action in ordering a strike, did they express any ground for it except your discharge?—A. Certainly, sir; the strike was for a general settlement of grievances.

Q. Was it voted upon in that form by the local assembly?—A. That I cannot say. It was not voted in the assembly of which I am a member, because we were not at that time attached to the district, and were just organizing, and there was no official union with the district when the propositions were sent out.

Q. How long before the strike was ordered was it that the order was agreed upon?—A. About five minutes, sir.

Q. How long have you been a Knight of Labor?—A. Since March 17, 1885.

Q. How long have you been an official of the order?—A. Since March 17, 1885.

Q. Did you approve or disapprove of the strike?—A. I do not approve of it, sir.

Q. Can you state any benefits that have accrued to any one from the strike?—A. Well, as I understand, the engineers got their grievances all straightened out. They got benefit out of it.

Q. Did that occur from this strike?—A. Well, yes, sir; they generally build up on strikes of other organizations.

Q. You have no knowledge that they were benefited by this strike?—A. I know that they had a member that was suspended, or that was not at work, and had not been for some time, and very shortly after the strike was inaugurated he told me that he could not get them to take his grievance up; but shortly after the strike was inaugurated he came to me and said he was to get \$2 a day for the time he had been laid off.

Q. That is all you know of their being benefited?—A. Yes, sir.

Q. Did you not know that another engineer has been killed?—A. Only through the papers. But I did not know that the strike had anything to do with it.

Q. Did not this strike cause that?—A. Well, you know that engineers are killed very often when there is no strike on. Because this was on you cannot say that that was the cause of it.

Q. Can you not?—A. Unless that was the cause.

Q. Excepting as to this engineer do you know that anybody else has been benefited?—A. From hearsay. I have heard it expressed that the engineers had gotten their contract that they had with the Southwest system with Mr. Hayes and Mr. Hoxie made just after the strike of 1885, and that they had got it approved by the receivers of this road.

Q. There seems to be a severity of feeling on the part of the Knights of Labor towards the engineers, is there not, arising out of this business?—A. I do not know that there is.

Q. Do you not know that there is a bitter feeling towards the engineers because they did not get off their engines?—A. I cannot say that there is.

Q. You have no knowledge of that?—A. I have no knowledge of it.

Q. Aside from them, have you any knowledge of any person being benefited by the strike?—A. No, sir; I cannot say that I have.

Q. The causes given for the strike have not been in any way aided by the strike, have they?—A. No, sir.

Q. Then, as a Knight of Labor do you believe it is wise to inaugurate such strikes?—A. I do not, sir. I think that the principles of the order, if adopted in the order at large, would be beneficial and considerably improve the matter. It is, of course, known that the order does not approve strikes.

Q. Do you not believe that this strike—looking back—was a serious error?—A. It has been a serious blunder and mistake.

Q. Was not the first movement of it the greatest blunder of all, in your judgment?—A. Well, all strikes are mistakes.

Q. Do you not regard this as a serious blunder, and that the order to strike was the worst of all?—A. I think that the strike was a mistake.

Q. Now let me go in another direction. Do you not think that there should be distinct boundaries made to the power of local assemblies?—A. Distinct boundaries made to the power of local assemblies. By what?

Q. By the order?—A. No more so than there is.

Q. Do you not believe that the national assembly should have more power than it now has?—A. Yes, sir; I believe that the general assembly and the executive board of the general assembly should have more power than they now have.

Q. Do you not believe that no strike should be permitted until approved by the executive board of the general assembly?—A. Yes, sir; up to, say, a strike that would involve more than 200 employes, should not be entered into without the approval of the general executive board.

Q. Is not a local strike liable to run like fire and involve a great number?—A. Not all the time. You see, a strike comprising only that number could be controlled by the district, and the district could take care of it. It could keep eight hundred souls, about four to the family.

Q. Would it not be easier to prohibit all strikes under the control of the Knights of Labor, except where they are approved and the order for the strike is given by the executive board of the Knights of Labor of the national assembly?—A. As I said awhile ago, nearly all strikes are mistakes; but a local strike sometimes does a little benefit.

Q. (Mr. BUCHANAN.) I am curious to know exactly what you mean by a recognition of the order. I have seen it often, and you say one of the causes of the strike was the desire for recognition of the order. Tell me exactly what you mean by that.—A. Well, sir, I cannot. I think it is that the officials, not only of this road, but other roads, should recognize and treat with a committee appointed by the order to settle by arbitration the difficulties or grievances that might arise. As it is and has been, that a man employed on this railroad, for instance, is appointed on a committee to adjust a grievance, and he is liable to be discharged for it. If the order was recognized so that they would be there recognized in an official capacity, it should be a man not employed by the railroad, but over whom they could have no control; and consequently he could do better, and could make a better demand than one who is employed by that road and afraid to speak out what he thinks.

Q. You do not mean simply that they shall be willing to address the person, as for instance, John Smith, master workman?—A. Oh, no, sir; that does not matter.

Q. You mean simply that they shall recognize it as an order?—A. That they should receive them as authorized by their local assembly, and that they will so recognize them.

Q. You do not care about official titles?—A. No, sir.

Q. You spoke about strong impressions among the men that this road was thrown into the hands of receivers in order to avoid that recognition. Do you share that impression?—A. I do not know that I do. I think I may say this, that it was done for a purpose.

Q. Do you believe it was for the purpose you have indicated? Did you do anything to correct that impression among your associates?—A. I do not know that I did.

Q. You do not believe that the affairs of this great corporation were put into the United States court simply to evade the settlement of these grievances?—A. I know that that could not be it entirely, and that there were other motives and other objects behind all that.

Q. And also possibly other necessities?—A. Yes, sir; possibly other necessities.

Q. Did you inquire as to the real financial condition of the road?—A. No, sir; I had only heard Mr. Cumming, who was superintendent of the road, say that the road was financially embarrassed.

Q. Do you know it had defaulted upon the interest on its bonds?—A. I cannot say that I knew it.

Q. Was there any information generally as to the financial condition of the road and the necessity for a receivership?—A. Not that I know of.

Q. Did you make any effort to inform yourselves upon that point?—A. No, sir; I do not know of any effort made.

Q. (By the CHAIRMAN.) Have you applied to the officers of this road for employment since the strike?—A. No, sir.

Q. Did you refer personally or by letter your grievance to either one of the receivers?—A. I did not, sir. I went to the man who discharged me, the general foreman.

Q. Did not Receiver Sheldon refer your case to Receiver Brown, and did you not get passes for yourself, Martin Irons, and others to meet at Dallas for that purpose?—There were passes given to me and three men—C. A. Hall and three—men to Dallas and return.

Q. Who gave you those passes, and what was his declaration at the time he gave them?—A. Mr. Thorn gave them to me.

Q. What did he say?—A. He said they were for myself and committee to go to Dallas. I think that was what he said.

Q. What authority did he say he had for issuing those passes?—A. I think he said Governor Sheldon had told him to issue them.

Q. On account of an agreement he made with you that you should have them?—A. He might have said that.

Q. Were you made foreman by Mr. Cumming on account of some pressure that was brought to bear on him?—A. Not that I know of.

Q. How did you come to be appointed foreman?—A. He informed me that he was going to appoint me foreman of the car shop, and very shortly afterwards he made the appointment. Mr. Woods asked me if I would take the place; but as to settling any difficulty, I do not know anything about that.

Q. How did the vacancy occur to which you were appointed?—A. I understood that there had been a complaint made against Mr. Ogle generally of incompetency and drunkenness, and that he was tried and found guilty and discharged. That, though, is only hearsay.

Q. Was the investigation of Mr. Ogle initiated by the Knights of Labor?—A. It was by the action of the Knights of Labor in his employ, and some that were not there. That it was altogether by the Knights of Labor and others I do not know, but I suppose that it was some of the Knights of Labor. I will just state I have a letter of Mr. Thorburn, that he can make a statement of the conversation between Mr. Crosby and myself. He lives at De Soto, Missouri.

Mr. BUCHANAN. How far is De Soto from Saint Louis?

Governor BROWN. About 40 miles.

The CHAIRMAN. I do not know that that statement amounts to anything; that is not sworn to.

The WITNESS. It is not sworn to, but I could have got it sworn to. I did not know it would be necessary.

The CHAIRMAN. We cannot admit it as it is; if it was sworn to we might admit it. This Thorburn lived in De Soto, I understood, but he has left there.

The WITNESS. I wanted to have him sworn.

The CHAIRMAN. I am very sorry, but we cannot admit it.

The WITNESS. There are parties here in the room that heard him make this same statement.

The CHAIRMAN. We cannot go into that kind of an investigation, because it would be too extensive, and we would not know where it would stop.

Mr. BUCHANAN. We have been refusing all the morning to receive affidavits from the railroad company.

The CHAIRMAN. The railroad depositions were taken before the special commissioner appointed by Judge Pardee, and the parties were all brought before the committee to identify and swear to the truth of the contents before they were admitted.

J. J. KERTIN recalled and examined.

By the CHAIRMAN:

Question. Have you heard the testimony of the telegraph operator?—Answer. Yes sir. I do not remember the time when he came into my office, but some time within the last six months a complaint was made of him by the despatcher on duty, Mr. Johnson, that he was not competent to work with him at that side of the house. Well, instead of discharging him, I moved him over to the west side, and finally gave him night duty, which was very light, so as to keep him, and doing that act as a matter of sympathy as much as anything else, knowing that he had a family, until the 6th day of March, this year. A short time previous to that I understood he belonged to the Knights of Labor, and I was being pressed by Mr. Mablefield, my superior officer, to get rid of him, not because he belonged to the Knights of Labor, but because he was acting very badly on the wire. Mean time news came of the general offices being located at Dallas, and the work became heavier, and I had frequent complaints; but I thought this trouble was bridged, and I did not

want to discharge him. But after the strike of the 1st of March, while I was very well satisfied he was a member of the Knights of Labor, I did not take action for a while but we had some very important messages that were being sent to the general offices, and on one occasion I had to get him out of the office before I sent a message. I had no complaint up to that time that he had divulged anything, nor do I now think that he ever did, but on one occasion, about the 6th of March, and about that time when the strikers were all deputized, licensed to carry arms and come down very freely on the property, some of them began to come in, and Mr. Hall—I think I saw him in there talking to Mr. Logan, and others whom I knew to be Knights of Labor. About 6 o'clock on the evening of March 6 we had a message to send up to the other office, and rather than send it, not wanting him to hear, I called him over to my desk and asked him if he was a Knight of Labor. He hesitated considerably, and finally answered me that he was. I asked him if he understood the position he stood in; that he owed allegiance to the company or to the Knights of Labor, and said to him that some of his brothers had been ordered out, and some of them forced out, and told him about the difficulties with the operators at Fort Worth, and he would have to make up his mind to withdraw from one or the other, and if he did not do it by 7 o'clock that night that I could not and would not keep him in the office, let the result be what it would. He said he would make up his mind in that time, and I told him if he thought he could not make his mind up then he need not wait until 7 o'clock, but could leave right at that time. Now as to the pistol, I will make this explanation. I had a pistol of my own, but I discovered that my pistol was gone. My wife had heard a good deal of this talk by the strikers, and she had urged me to get a pistol—to hunt mine up or get another one. Some time on March 6, in the noon or forenoon, or early afternoon, I do not remember which, I asked Mr. Riverman, chief clerk in the division superintendent's office, if he had a pistol. He said he had one over at his house, and I asked him if he would lend it to me. He said he would and said he would bring it over some time in the afternoon. Just at the time I was talking to Mr. Logan, the pistol, with a box of cartridges, was brought in and laid on my desk. It seems the colored porter had just brought it over. I did not get that pistol for the purpose of intimidating Logan, but I got it for the purpose of carrying for my own protection.

Q. (By Mr. BUCHANAN.) Was it loaded at the time it was placed on the desk?—A. I think not; I am pretty sure it was not loaded. Even if it was loaded it was placed there harmlessly, and might have been there at any time before or since. It just happened at the time that the colored man brought it in.

Q. (By Mr. PARKER.) Did you hear the witness's statement in regard to signing a paper denouncing the Knights of Labor?—A. There is no fact in it. I took it as an evidence of his unwillingness to place himself in a proper attitude in the office, and I would not take the chances of his remaining in the office.

Q. Did you require him to sign that paper?—A. No, sir; he seemed to make up his mind that he could not differ from the order, and I told him he could leave; and following that I told him, "you have seen others required to go out and being forced out, and for some reason you have been allowed to remain." I then told him that there had been complaint of private information getting on the outside and into the hands of the strikers; but I did not say that he had done it.

Q. You mean information that came to his knowledge as a telegraph operator?—A. It was information that passed over these wires, but I told him that I would not say that he did it. I told him, "You occupy this position, and, of course, there must be suspicion." I told him, "I do not believe you have done it," but that I could not be responsible for how long he would continue, and I was firm in the belief that up to that time he had not done anything. When I began to see these men coming around that had business with him, and were watching, I did not feel easy.

Q. (By Mr. BUCHANAN.) Were these special policemen about the premises at that time?—A. Yes, sir.

T. I. LOGAN recalled and examined.

By the CHAIRMAN:

Question. What have you to say in reference to the conversation which Mr. Kertin spoke of between yourself and Mr. Hall?—Answer. I can say that I have had no conversation about the strike in any one shape. Some time after he was discharged Mr. Hall came up into the office and spoke to me while I was working there, and asked me to pay him five dollars that I had owed him for work he had done for me. He came up there and asked me when I could pay him, and I told him, "You can come up in the morning, and I will give it to you in the morning." So he came next morning and I paid him two dollars. I was satisfied then that enemies of mine in the office thought that I was speaking to him about messages. That was the only business that I had with him. I was paying him for building me a kitchen sink.

LUTHER JOHNSON sworn and examined.

By the CHAIRMAN:

Question. State what you know of this same subject about which Mr. Logan and Mr. Kertin have testified.—Answer. About seven or eight months ago Mr. Logan was my copy operator, and business was very heavy on the east end. Several times he made very serious blunders; mistakes that I overlooked and said nothing about. One evening I was very busy, and had him copying an order for me. I went out and delivered the order to the conductor and engineer and discovered the mistake, which, if it had not been detected, would have ensued in a collision, probably. I told Mr. Kertin that if he would take this man away from there I would consider it a great deal safer to have him outside of the office; that I did not want him to work there when he was liable, by his mistakes, to cause a collision or something of that kind. He was then put over on the west end, and afterwards assigned to duty on the west end. When the general offices were removed to Dallas, of course the Dallas business was a good deal heavier on that line, and he could not attend to the business, because he was not a competent man. I heard Mr. Kertin speak about it and say that he kept him there more on account of his having a family than anything else; but we found something was working wrong on the line. Nothing was said until about the 6th of March. I did not hear the conversation between them on that evening, as I was not present at that time. I did not know what took place until next morning, and then only from hearsay.

Q. (By Mr. BUCHANAN.) Was it a part of his duty to send dispatches by which the movements of trains on the road were regulated?—A. It was my duty to send all train orders, his duty to copy them.

Q. Would an error in one of those orders probably result in loss of life?—A. Yes, sir.

The committee then adjourned to meet in the morning, at Texarkana, on the call of the chairman.

TEXARKANA, Tuesday, May 11, 1886.

The subcommittee, of which Hon. W. H. Crain is chairman, convened in the Conductor's Hall, at Texarkana, this day, and proceeded to take testimony.

JAMES F. SMITH sworn and examined.

By the CHAIRMAN:

Question. Do you reside in Texarkana; and, if so, what business are you engaged in?—Answer. Yes, sir; I reside in Texarkana, and am in the drug business.

Q. Wholesale or retail?—A. Wholesale and retail; we do considerable jobbing.

Q. Can you testify as to the condition of business here and the prospect for business prior to the strike?—A. Well, we thought it was really good.

Q. Will you state what effect was produced by the strike upon the general business of the town?—A. Well, it created quite a depression in business and stopped business to a very great extent. All of us who had goods consigned by the Iron Mountain road could not get them; we had quite a lot of goods out for three weeks. Finally we got them transferred from the Iron Mountain road to the Texas and Saint Louis, and a good many other parties were in the same condition. We did not order goods. We felt an uncertainty of getting them, and were unable to supply our customers to a great extent, because we did not have the goods; and it was similar to other disturbances; it stopped all attention to business very much and had a tendency to collapse business.

Q. What city did you deal with principally?—A. Saint Louis, Mo.

Q. Have you any idea of the percentage of loss to the business of this town by the strike?—A. It would be almost impossible for me to make an exact statement as to the loss, because our business is so general, there are so many interests. The lumber interests suffered more heavily than any other; it is the largest interest we have here. Just how many dollars and cents their loss would be I would hardly be able to state.

Q. How long did the paralysis of trade last?—A. It was very bad for, say, three weeks, probably a little longer, and then it began resuming business.

Q. Are there any Knights of Labor organizations here?—A. I understand them to be; I do not know that there are. I have never been in any of them.

Q. Was there an actual strike?—A. Yes, sir; there was a withdrawal from the service of the railroad.

Q. Were there any disturbances here?—A. I should think there was. The trains were interfered with; that is, freight trains were not allowed to move in or out from here until the latter part of March. When a freight train came in it was side-tracked and nothing was allowed to be done to it. The trains were interfered with, and they would not allow them to come into the yards and go on the side-track. We called a meetin

of the citizens, and appointed a committee to see the Knights of Labor and see what they proposed to do. They met with us that evening and promised us that there should be no interference with trains. That was my understanding from the Knights of Labor committee, and a number of us went down next day on the incoming of a freight to see if they would act in good faith and keep their promise. It got down to the yard to the first side-track. They had two or three hundred men there and we were totally incapable of getting the train in or doing anything with it. Then I went to one of the leaders of the Knights of Labor, Mr. Charles Wilson, and asked him how it was after agreeing to let trains pass in they did not do so. He said that they had only agreed to let local freight trains in, and that through trains were to be side-tracked. Myself and Mr. Hamilton talked about the matter and about the necessity of protecting the trains. Mr. Hamilton decided that the only thing we could do was to have the governor order out the militia, and in a few days everything would be got out straight. The militia were ordered out and everything was straightened in a few days.

Q. The captain of the militia company lives here?—A. Yes, sir; Captain Trigg.

Q. Will he be here this morning?—A. I do not know; I guess he is in town.

Q. We can have more details from him as to what the militia did here. Is there anything further?—A. Nothing further.

Q. What is the population of the city?—A. I do not know exactly; I should think probably 6,000, on both sides.

Q. How many railroads come into Texarkana?—A. The Iron Mountain, the Texas and Pacific, and the Trans-Continental; there is a branch out about 4 miles from here on the Trans-Continental, and then the Texas and Saint Louis running through here. That would make five roads coming into the town.

Q. To how many of those roads did the strike extend?—A. To all but the Texas and Saint Louis, the Texas and Pacific, the Iron Mountain, and Trans-Continental and branch.

Q. Do you know anything about the killing of engines and interference with the trains?—A. I do not know; I did not see any of them they killed, but I heard a good deal said about it.

WALTER H. MCCARTHY sworn and examined.

By Mr. PARKER:

Question. Are you a resident of Texarkana, Ark.?—Answer. No, sir; I am a resident of Texarkana, Tex.

Q. And have been how long?—A. Since 1875.

Q. What is your business?—A. Keeping hotel.

Q. The city lies between Texas and Arkansas and passes over the State lines?—A. Yes, sir.

Q. That is, one part of the city is in one State and the other part in the other State?—A. Yes, sir.

Q. And they have separate city governments?—A. Yes, sir.

Q. What do you know as to the organization of the Knights of Labor or Labor Union here?—A. I know that there is a certain organization of the Knights of Labor that has created a good deal of trouble.

Q. They have a lodge-room I suppose?—A. I believe so.

Q. Do you remember the beginning of the strike?—A. Yes, sir.

Q. You may describe it as it occurred here, so far as you know.—A. The first of the trouble of the strike was at Marshall. The men were ordered out here on the 7th; part of them stopped work three or four days after. I understood they were ordered out, and then they turned out as a body and quit work with the exception of a few yard-men who handled the passenger trains.

Q. Do you know how many men went out?—A. No, sir.

Q. Did you talk with them and hear them say what the cause of their going out was?—A. Yes, sir. They said they had no complaint here. A great many of them told me that.

Q. What did they say was the cause?—A. The cause was that they were ordered out from other organizations on account of Hall being discharged.

Q. Did they say anything of their having or not having grievances?—A. I did not hear a railroad man say he was dissatisfied.

Q. Did you hear them say whether they had any complaint here?—A. I believe they had no complaint here.

Q. What was the effect of the strike upon business generally?—A. It was at a stand-still.

Q. What disturbances did you see occasioned by the strike or strikers?—A. There were a great deal more threats than there were disturbances.

Q. What were those threats?—A. They would tell men who went to work in the yard that they would "do them up," and that they would not allow them to work.

Q. Some of the men that remained, or men who took their places?—A. Some men that remained, and some that came here to take their places.

Q. Do you know of any of those assaults or collisions with the men?—A. Well, there were two or three fellows had some little fights with the men. I believe they jumped on one by the switch one day and beat him up a little.

Q. But no dangerous collisions or assaults that you know of?—A. No, sir. They fired on a switchman here one night, but I guess it was more for a scare than anything else.

Q. If there were any instances that would be of interest to us you may state them.—A. There was a man named MacMillan that was assaulted upon the street one day. I did not see the trouble, but I assisted to get him out of jail. They turned the other one out first through the influence of some parties here. They turned them both out.

Q. (By Mr. BUCHANAN.) Who made these threats?—A. Well, sir, different parties made them.

Q. Were they former employes of the company or not?—A. Parties told me that they were; parties told them that they had better get out of town. They did not belong to the company and had never worked for it.

Q. Is it not the case always that the lawless element in a community rush to the front in these acts of violence?—A. Yes, sir. The most worthless part of the population do so. That has been my experience, and I have been on railroads and in public business since I was thirteen years old.

WILLIAM L. WHITAKER sworn and examined.

By Mr. BUCHANAN:

Question. Where do you reside?—Answer. At this place, Texarkana, Tex.

Q. And have resided here how long?—A. Only ten years.

Q. In what business are you engaged?—A. I am in the lumber business principally.

Q. Are you a member of a firm?—A. Yes, sir.

Q. You say in the lumber business; do you mean in the manufacture as well as the sale of lumber?—A. Yes, sir.

Q. Is that a large interest here?—A. Yes, sir, the largest.

Q. Can you give the number of million feet manufactured here and shipped annually at this place, or within a certain area affected by the strike in this vicinity?—A. I have not estimated it all, and I can only approximate it now.

Q. That will be sufficient.—A. The amount of timber got out in a year here will be between fifty and one hundred million feet.

Q. Were you in Texarkana at the time of the strike?—A. Yes, sir.

Q. What effect, if any, had that upon the lumber business of this section?—A. It had a very marked effect upon us.

Q. In what way?—A. It came to a standstill entirely; we kept on manufacturing, but could not ship any.

Q. How long were you prevented shipping?—A. We did not ship any that amounted to anything for about six weeks.

Q. Did this result in a serious loss to the lumber interest here?—A. Yes, sir, a great loss.

Q. What number of men are there employed in the lumber interest in this section?—A. Probably four or five thousand, or probably more men.

Q. That receive their living from the employment afforded in connection with the manufacture and sale of lumber?—A. They and their families.

Q. Were there any employes discharged because of the stagnation in business?—A. Yes, sir.

Q. Do you know how many?—A. No, sir, I do not.

Q. Since the strike has been over has the shipment of lumber been resumed?—A. No, sir; not to the same extent that it was before the strike.

Q. Well, do you judge that the effect on the lumber interest will be a permanent one?—A. I do not think it will be permanent. We had been sending lumber to Kansas and Western Missouri. Of course, they could not get their supplies during the strike here; that cut us off, and we kept on manufacturing and increasing our supplies, and that, of course, decreased the price.

Q. From your knowledge of the situation, what is the probability of your recovering the loss that has been caused by the strike?—A. I think it will take a year to do it.

Q. I do not speak of the recovery of the volume of trade that was interrupted; but there seems to have been a cessation of export. My question is, when, in your judgment, would you eventually sell that which you would have sold but for this strike?—A. I do not think that we will sell that soon, for dealers had to supply themselves from other sections.

Q. Then the loss to trade here was a benefit to trade at some other point?—A. It probably was.

Q. What did you see of the actual occurrences connected with the strike? Did you see any violence or any injury to property, or anything of that kind?—A. No, sir; I did not see anything of it.

MAX MUNZHEIMER sworn and examined.

By the CHAIRMAN:

Question. Are you connected with the wholesale and retail business here?—Answer. Wholesale business.

Q. In what business?—A. Groceries.

Q. On the Arkansas or Texas side?—A. On the Texas side.

Q. About what amount of business is done in the town of Texarkana on both sides of the line?—A. Well, that is hard to tell; our business is about \$400,000.

Q. Was business injured by the strike?—A. Greatly; yes, sir.

Q. To what extent?—A. Our sales in March fell off a great amount, and our collections were very slow. Our trade is principally with the lumber men in this section.

Q. Whatever affected the trade of the company affected your trade, I suppose; one was dependent upon the other?—A. Yes, sir.

Q. Was this suspension of trade to be attributed to any other cause than the strike?—A. No, sir. We were doing splendidly before the strike was inaugurated; trade was improving every day.

Q. Has business resumed its former volume?—A. Yes, sir; to some extent.

Q. To what section do you sell your goods?—A. Our business is in Texas and Arkansas, extending over six, seven, or eight counties around here.

Q. What was the effect of the strike upon the general business of the town?—A. It just stagnated it altogether, retail as well as wholesale.

JOHN C. WEED sworn and examined.

By Mr. BUCHANAN:

Question. What business are you engaged in here?—Answer. I am in the lumber business, and also a machine-shop in the city.

Q. What effect had the strike upon your business?—A. It simply paralyzed my business during the time it continued.

Q. How many men do you employ?—A. At the mills we employ forty men; in the lumber interest we employ forty men.

Q. And at the machine-shop?—A. Six men.

Q. Were you acting yard-master for one of the roads at the time of the strike?—A. Yes, sir.

Q. For which road?—A. For the Iron Mountain Railroad.

Q. Tell us what you know about disturbances and disabling of engines and cars upon that road during the strike by the strikers.—A. The cars in the yard were pretty nearly all disabled, or the bigger portion of them. The keys, links, and pins were taken out, and the keys that held the draw-heads were removed from a great many of them.

Q. As to the engines.—A. The engines were some of them blown out—that is, the water was blown out of them.

Q. You mean that they were killed?—A. Yes, sir.

Q. How many cars were disabled, speaking approximately?—A. I should think probably three hundred or four hundred cars.

Q. How many engines?—A. I think at the time of the strike at one time there were something like fourteen engines killed. Some of them were disabled in this way—the water had been blown out and they were killed.

Q. And how many killed from first to last during the strike at this point?—A. There were five or six that I saw killed in the yard.

Q. What was done with the remainder of these fourteen engines?—A. They were put in on the tracks in the roundhouse and the water blown out of them.

Q. Who did this injury?—A. Strikers.

Q. Did you see any of these injuries to property done?—A. Yes, sir.

Q. You saw the parties who did it in some instances?—A. Yes, sir.

Q. Had they formerly been in the employ of the company?—A. Some of them had and some of them had not.

Q. Did you cause any of them to be arrested?—A. Some of them were arrested, but not at that time.

Q. Why were they not arrested at once as soon as you saw them committing these violations of property?—A. There were no officers there at that time.

Q. Did you say that some of them who participated had been in the employ of the company?—A. Yes, sir.

Q. Were they citizens of Texarkana?—A. Some of them were, sir.

Q. What class of people?—A. Lots of them were men that were just loafing here, were idlers running around here.

Q. Did you receive any warning to quit work at that yard?—A. Not practically from them; I had from other parties.

Q. Who communicated the warning to you?—A. Parties living here in the city said that there had been threats made against me; but I did not heed them.

Q. None were made direct to you?—A. No, sir.

Q. The yards were finally taken possession of by troops?—A. Yes, sir.

Q. Do you know how many troops were here at any time?—A. I think they consisted of thirty-four men.

Q. Was there any other injury done to property of the company besides what you have stated, that you know of?—A. There was at one time a rail taken up from the track half a mile north of here. I did not go out there that day.

Q. Do you know the name of any one who did go out and who saw it?—A. There was a man by the name of Martin Judd went out there.

EDWARD A. WATERMAN sworn and examined.

By Mr. PARKER:

Question. You are a resident of this city?—Answer. Yes, sir.

Q. And have been for how long?—A. Nearly two years.

Q. What is your business at present?—A. I am editor and proprietor of the Daily Independent.

Q. As an editor have you had occasion to study the strike and its local effects?—A. Yes, sir; to some extent.

Q. You may state the effects upon business.—A. Well, I suppose that my statement will be from my general observation of business in the city. The business was very much depressed during the strike.

Q. Do you know anything as to what classes of business it covered?—A. I think it would cover almost all classes.

Q. Has it yet resumed its full course as it was before the strike?—A. So far as our city is concerned I think that it is pretty nearly so.

Q. How as to the shipping of freight?—A. I cannot tell anything about that.

Q. Do you know any men among the Knights of Labor?—A. Yes, sir.

Q. Do you know any that were personally connected with the disturbance?—A. No, sir; I was not present at any disturbances. My information was from my reporters.

Q. If there is any particular thing you wish to state or explanation you wish to make you can do so.—A. I am here simply at the request of the committee.

Q. You know of the going on of the strike and of the disturbances among men said to be strikers and others?—A. I knew of them at the time.

Q. And of the general injury to business and its continuance?—A. Business here was very largely and materially affected by the strike.

Q. Was that effect injurious?—A. I think so, sir. I think it was injurious.

EMIEL F. FRIEDEL sworn and examined.

By Mr. BUCHANAN:

Question. Did you reside at this place during the late strike?—Answer. Yes, sir.

Q. Were you concerned in any negotiation arising out of the strike? And if so, please state what it was.—A. I do not exactly know what you mean by negotiation. I was one of the members of a committee appointed by the citizens here who went out and had some consultation with the Knights of Labor.

Q. I will change it to conference and let you proceed.—A. Well, I was one appointed at a citizens' meeting here on the 24th or 25th of March. Some citizens had a meeting at the Marquand Hotel and while we were there a gentleman who represented himself as being connected with the Knights of Labor, Charles Wilson, with whom I was acquainted, asked if the citizens would not send out a committee to have a conference, or conversation, or friendly talk with the executive board of the Knights of Labor, who were then in session up in town. A committee was appointed, of which I was a member, and we went up there and had a conversation with the gentlemen who were present.

Q. What did the conversation relate to?—A. Well, the principal thing we went there for was the railroad officials here complained that property was being injured and destroyed, and that the sheriff of our county would not give them such protection as he ought to, and we felt that was not true. We felt that the sheriff would give them all the assistance that was necessary.

Q. What did the conversation with the Knights of Labor at that conference include?—A. It related to the destruction of property that went on up there and the taking of the railroad yard. The railroad authorities had shown us their trains that they could not move.

Q. You are speaking of freight trains?—A. Yes, sir. There has been no interference in regard to passenger trains.

Q. Did you receive assurances that there would be no further interference?—A. The conversation we had there—we all came to this conclusion, that the railroad yards were not in the possession of the company, and a gentleman representing the Knights of Labor stated that it was not their intention or intent to destroy property. They considered that the railroad company could not employ a sufficient number of men to move their trains, and we told them that they should see that the property was let alone.

Q. What reply did they make to that?—A. They readily consented to that, and said that it was not their intention to destroy property, and that they would try to persuade their members not to interfere with it.

Q. What did they say as to their interfering with the moving of trains?—A. They said that they were not interfering with the movement of trains.

Q. Did you telegraph that fact to the railroad officials at Little Rock?—A. Then we went back to the citizens' meeting, and a report was made of the action taken and of these facts and it was sent by telegraph to Mr. Hoxie. I was appointed a committee to send that.

Q. Can you give the names of that committee?—A. L. A. Burn, Captain Hayes, president of the First National Bank, and W. W. Glass. I think there were five of the committee, and one of them was W. J. Hamilton. We sent the telegram to Mr. Hoxie, assuring him that there would be no destruction of property.

Q. Was there subsequently any interference here with the movement of trains?—A. Yes, sir; on the next day.

Q. What, on the next day?—A. Yes, sir; we received telegram next day from Mr. Wheedon and also one from Mr. Hall, here, stating that they would send a freight train if it would not be interfered with; and they wanted the citizens to see that it was not interfered with. The telegram stated that the train would be in somewhere between 1 and 2 o'clock. The sheriff, W. T. Hamilton, summoned many citizens to go with him and assist him. This was on Friday evening. There were some fifteen or twenty citizens summoned by the sheriff, and we went into the railroad yard to where the switches were. There were eight or ten left on one side, and six or eight at the other. At that time it was reported that there were some parties ahead tearing up the track, but the sheriff and two or three that were sent with us did not find that that was being done. There were two men on the road that left when we went up there, and went to the woods, and the sheriff tried to stop the train so that we could get on; but the engineer did not stop until he got past us. We afterwards got on the engine, and from that on to the freight cars and caboose. As we were going down the road we could see the people coming together in the yard, and that they congregated at first of the side switches. We were side-tracked, and then they commenced pulling out the pins.

Q. Was it any of your posse that pulled out the pins?—A. No, sir; it was the people that gathered around. There were three or four hundred people around there at the time.

Q. Was the train permitted to proceed?—A. No, sir; it was stopped.

Q. Do you know how long that train remained there before it finally got out of town?—A. No, sir; the engineer left it. They said that it should not go any further, and we left it, and I came to the depot.

Q. Did you recognize any there who were in that conference with you the day before?—A. Yes, sir.

Q. Did they put forth any efforts to prevent the stoppage of the train?—A. No, sir. There were two or three of gentlemen who were in that meeting of the executive standing on the outskirts of the crowd. They were not saying anything. Captain Colze was one of the committee that was up the road. I do not know where he was after we left him on the road.

Q. Were you afterwards on duty as a member of the militia company?—A. I was a deputy sheriff and a militia-man; I was on duty on Tuesday.

Q. What do you know about injury to property there further than you have stated?—A. Well, I do not know of any further. I remained here in the yard in a squad when that train went up the road, and we protected the roundhouse on Sunday.

Q. Now, before the side-tracking of this train, do you know whether or not the engineer left his train before the train was side-tracked?—A. It was on the side-track some minutes before he left.

Q. You are certain of that?—A. Yes, sir.

Q. What do you know about taking up any rails?—A. I do not know anything of my own knowledge.

Q. Was it the destination of that train to run on to that side-track, or was it the desire and wish of the railroad officials that it should proceed further?—A. It was the wish of the railroad officials that the train should proceed further into Texas. It came on the main track and it was the understanding that the train was to go on through into Texas.

Q. You say that the engineer remained on his engine until the train came to a stop?—A. For some little time after that.

Q. How long after it was coming to a stop before it was uncoupled?—A. Immediately. They commenced taking out some of the pins when it commenced to stop.

Q. Did the engineer leave his engine before any of that was done?—A. No, sir; he stayed there some little time. The sheriff told the citizens to help him, and the engineer stayed there some little time; but the crowd commenced getting larger and larger and the engineer left.

Q. Do you say, or was there any failure on the part of the engineer or an abandonment by the engineer of his trust?—A. No, sir.

JOHN H. TRIGG sworn and examined.

By the CHAIRMAN:

Question. Are you captain of the Gate City Guards?—Answer. I am.

Q. Were you captain of the company when this strike broke out?—Yes, sir.

Q. Will you please state what you know of your own personal knowledge of the occurrence in and around the depot and yards of the Iron Mountain Railway Company previous to the time when you called out your company?—A. I was down on my place about 4 miles from here and I came up for a couple of days. I was summoned as one of the sheriff's posses somewhere. I suppose there were somewhere from ten to fifteen of us. We went out to what is called the north switch, probably half a mile from the depot, and men were posted all along at the different switches so as to keep the train from being side-tracked, and so that it would keep on. Some one stopped the train, I suppose three or four hundred yards from the north switch, and boarded the train. There were five men left to guard the switches, and I believe five men on the north switch, and about that time the train stopped on the main track. A whistle was blown at the roundhouse, and the crowd came in, mainly down the track from this side, about three or four hundred of them, and possibly more, coming down the main track. We stood probably 150 yards from the north switch. We could see the minute the train was turned out one way or the other, and just when it reached the north switch I think there was about five hundred to seven hundred people there on the grounds and property all around. As soon as it arrived at the north switch you could see that the engine was turning from the road going south. As soon as the engine was side-tracked our instructions was to come down to the north switch; but the crowd was in charge of the train as soon as it stopped. I was placed near the center of the train about four cars back of the engine, and we had no more than got into position than one of these men who worked at the yard took a pin out and walked off. I pointed him out to Sheriff Hamilton and he dropped the pin, and as fast as we got one pin put back another would be gone, and we saw that we could not succeed in keeping the train together. Sheriff Hamilton then tried to get the crowd to disperse, and they laughed at him and jeered at him in such a way that he saw they would not leave. He had not force enough to disperse them, and he ordered us not to allow pins to be pulled until he returned. We stayed there about three-quarters of an hour and did not know what to do. We did not know whether the train was to be switched. The yard engine came down in charge of eight or ten men that had been in the employ of the company, and they coupled to the train and disconnected it from the other engine and the switch engine carried it down on the main track and switched her off on the wood track, a track to the left of the main track, where they have wood to load the engines, or something of that kind, and we walked out there to guard it there. We were then ordered off. We saw that we could do nothing with it. I do not know when it was switched over there, but it was probably 1 or 2 o'clock in the afternoon. I think the train came in at 1.15. Sheriff Hamilton ordered us to come back for dinner, and going up the track we examined the cars. I suppose there must have been two hundred cars; and I noticed that of the cars that were there not a dozen links were in position in the whole two hundred and fifty cars. That evening I was notified by the sheriff to call out the militia.

Q. Do you remember what date that was?—A. I think it was on the 25th. I went out on the 26th of March. It was late in the evening when Judge Burn, the circuit judge, came to me and told me that if I had not authority to call out my company myself, that he should take it upon himself to order me to call it out. I told him I would prefer to be ordered out by the governor. He wrote a letter to me, which I received at 6 o'clock, and I was notified to report to Sheriff Hamilton for duty immediately. I knew the crowd we had to contend with, and saw the men, and knew that an effort

would be made to seize our armory. Our armory was down on Main street, and I went there and put a guard over the arms. I went home about 1 o'clock and about 6 o'clock they telegraphed for me, and I was told that there was a committee waiting to see me. I asked, "A committee of what?" and was told a committee of the Knights of Labor. I had also telegraphed Governor Hughes in the mean time that I did not think it was policy for us to go into the yard with thirty men, and asked him to send me a hundred stand of arms and twenty-five rounds of ammunition for each stand. I was satisfied we should have force enough to disperse them if any trouble came.

Next morning I went out with ninety-four men on duty, and when I came down Mr. Geger, who seemed to be the spokesman of the committee that had waited on me, asked me where my authority was for calling out the militia. I told him the governor. Then he wanted to know if I proposed to go into the yard and protect that property. I told him that I did, and he advised me not to go into the yard. I told him my orders were from the governor, and that I proposed to carry them out regardless of who it might hurt. Well, we talked on probably as much as five minutes, dozens standing there as witnesses. Judge Burn told me he would be down there. We then walked up and told them we would certainly go. They told us then that if we went into that yard we would do so at our own risk and peril and would have to take the consequences, and immediately walked off. I summoned my men either on the 26th or 27th—I could tell by the report and my dispatches to the governor. At 9 o'clock we formed in the Marquand and marched out into the yard and Judge Burn read the proclamation to the people there. We met with some little resistance, but very little; the most of it being in sneers, and one or two parties did not seem to want to get off the platform. We did not vacate the platform until the passenger train left. We then went to the roundhouse and found a negro man who was drinking and refusing to go away, and he made at one of the boys to cut him with a knife. We arrested him and carried him off to jail. My instructions were not to shoot, and I only allowed the men to fix bayonets; I would not allow them to load. I told them that we were not to shoot until we were fired on. I believe we only arrested two that day. It seemed that the engines at that time were killed before we went out on the yard, at 8 o'clock in the morning. They took the last engine and carried it out and blew her out, and we had no engine. At that time a passenger train came in, and they took that, and we switched up three engines and went down and took the two engines on the north track, and found that they were damaged so much that they would not be able to run. The engines being all disabled I did not suppose we could move a train. I found we could not do it, as on examination of the cars it was seen the links and pins were gone. I do not suppose that there were ten pins in the cars in the whole yard. There were some links, but the majority of them were gone, and a great many of the draw-head pins were also gone. If there had been links they would have drawn the draw-heads out of nine-tenths of them.

Next morning, after the passenger train left, we started out with the first train. That was a train from the Texas and Pacific Railroad. We started out very slowly. I carried twenty-five or thirty men with me on that train, and carried it through the county. The report was that we were only going outside of the city limits and that we had no authority to go farther. We let that impression remain. A crowd attempted to sidetrack that train at Mandaville, the first station, 6 miles from this town. In going into Mandaville, and probably 250 yards from it, there was a straight track, and you could see along very well.

I was looking from the caboose, and I observed on the left-hand side of the track going up a car standing on the switch, and I could see under the car several men's legs standing, probably eight or ten. It seems that the car was open and empty, and there were a lot of men in it. The intention was for the men standing on their feet to throw the switch. I did not know it at the time, but I was informed afterwards about it. We had fifteen men in one empty car just in the rear of the tender. I had told them to keep concealed, but they began to poke their heads from this car; and just before we got up there to the switch the men there saw my men and every one scattered. I suppose there must have been forty or fifty ran from beside that car. I jumped off and ordered the men out of the caboose; Judge Burn was right behind on the passenger coach, and I asked him what to do. He suggested that they should be arrested, and I ordered my men to disperse and catch them. They dispersed quite a distance from us and we arrested some of them at least 300 yards away. We got this man Cook, who did not attempt to run, and another white man, and another one just over the embankment I arrested and carried him and put him in charge in a car. We staid there probably half an hour. It was raining fast, and we were all wet with rain, or probably we would have got more. We got twelve, six negroes and six white men. We carried them to Fulton, and came back on the passenger train. We carried the train through the county, and over Red River and returned with the passenger coach here. We kept them there without any trouble. I notified the first lieutenant to meet me with a squad of men, as we feared there might be some trouble. The crowd certainly knew that we had

prisoners, and when we marched in town the sheriff had some difficulty in clearing the road in front of the Marquand as we marched them to jail. The mob was principally spectators. Fearing a little trouble, I ordered the men to load their guns and be very careful, as one of the party said he had never shot a gun in his life and he did not know how to load it.

After that we had very little trouble. Occasionally a man would slip in on the yard and interfere with the men who were at work. At least they complained to me a thousand times that parties would come to them from one place or another and try to get them to quit work. I was on this duty from the evening of the 25th of March until the 13th of April, when I was relieved by the sheriff. The governor ordered me to report to the sheriff, and as soon as he was able to take charge of the yard for me to be relieved. After that we had a few men selected out from my company appointed deputy sheriffs and put in charge of the roundhouse. I suppose it was at night about the 16th or 17th of April, and I had just returned home, probably at 11 o'clock. I live across from there, and I could see over to the roundhouse. I heard a volley of guns, probably five or ten, and I jumped up and could see the flash of two or three of the guns. They all seemed to be straight up. They had been fired right up into the air. They telegraphed for me at once, and I went down. A party had evidently come from outside of the city to try and stop the workmen. They shot the guns off probably fifteen or twenty times.

Q. Was that the last disturbance here?—A. No, sir. The guards were still kept on but that was the last I knew of the disturbances. They would still talk to the men when they could get inside the yard.

Q. But trains resumed their movement after that, did they not?—A. Yes, sir; from that first day that I carried out that train. The next day I carried out others, and went some distance with them and came back, and we had no further trouble in the movement of trains. They moved regularly.

Q. Do you know what has become of the strikers?—A. There seems to be a good many of them. They live here and the majority of them are still here, sir.

Q. What was done with the men you arrested—the twelve?—A. They were brought up and tried before Justice Smithers. Cook, the ringleader of this party was tried. We searched these men after we got them in the car, and they were sitting near the windows. One man who happened to be on the outside of the car saw some of them drop pistols out of the window. In searching one of them we found a pistol on him, and in searching Cook we found on him a switch-key of the Missouri Pacific. The north end of that switch we went to was unlocked and had been opened by that key. He was standing at the south end of the switch on the side of the track, and we found this key on this fellow Cook, the man who was standing close by it, and he was not an employé at the time. Several days after they were brought before the justice of the peace for trial and were tried; the witnesses were kept apart, and the doors were closed, and all of us were kept outdoors except a gentleman by the name of J. J. Vogel, who claimed to represent the defendants, and in some way they allowed him in the hall. All witnesses were kept out except this Vogel, who remained in there. Mr. Clark Hall, representing the road, was afterwards admitted to a seat in the room. Cook was eventually tried by a jury and convicted of a misdemeanor, and fined \$5 and costs. The others pleaded guilty, and were fined a dollar and costs.

Q. What would have been the effect if these parties had succeeded in turning the switch?—A. The train would have been side-tracked from the main track to the switch on the left-hand side.

Q. Would it have been derailed?—A. It would have been damaged in this way: it would have struck the box-car, as it was not more than 20 feet off from the switch. This car was standing alone on the track, and would have been hit here, before the train could have been stopped.

Q. Was anything said to you by anybody, and, if so, by whom, in regard to the protection of property after you received the order from the governor?—A. Mr. Giegler spoke to me about it. I told him I was a sworn officer and intended to discharge my duty. He said there was no use of it, and he would protect me against anything that there was in it. He said that they would give me all the protection I wanted, or assist me in any way. I told them I would protect the property.

Q. Was bail refused for the arrested men?—A. I cannot say as to that.

Q. Were there any other arrests made during the strike?—A. Only two; there were two on the first day we went down there, and twelve, making fourteen altogether.

W. M. WHITTAKER sworn and examined.

By Mr. PARKER:

Question. What kind of timber do you use for making lumber?—Answer. Principally yellow pine.

Q. Entirely?—A. Almost entirely.

Q. What distance from here do you obtain any lumber?—A. Round here from ten miles, or a few miles from the town.

Q. About how far?—A. Five, ten, or fifteen miles.

Q. And the timber is from how many miles?—A. We have three ways of getting logs to the mill; either hauling them with cattle, or on a log-road, and occasionally a few on the water-courses, but not to a great extent by these log-roads.

Q. What distance do you bring lumber to the mills?—A. Over the log roads, from four to eight miles, on narrow-gauge roads.

Q. And you keep it at these mills?—A. Yes, sir.

Q. What dimensions do you keep?—A. Well, all dimensions, board framing, and joist timbers.

Q. Do you ship by rail from there or from here?—A. Right from the mills.

Q. To what points?—A. We ship to Western Texas, Kansas, Western Missouri, and Nebraska.

Q. Do you not ship any abroad to the foreign market?—A. Nothing. We go as far as New Mexico and Old Mexico. A good deal of lumber goes into Old Mexico.

Q. What would be a reasonable estimate of the country that would be tributary to your lumber roads?—A. It would be hard to get at that, probably; I have never given it any thought. There is a large amount of timber here, and we have to get it not more than four or five miles from the road. The timber belt of this country covers four or five counties and runs back and down south in Texas.

JAMES D. ROSBOROUGH sworn and examined.

By Mr. PARKER:

Question. Are you connected with the lumber business in this vicinity?—Answer. Yes, sir.

Q. Do you cut lumber and furnish your own stock?—A. No, sir; we buy our stock and manufacture it.

Q. Do you buy it in the log and cut it?—A. We buy it already sawed.

Q. Is it sawed to order to dimensions according to your directions?—A. Yes, sir.

Q. Where is it obtained; in Arkansas or Texas?—A. It is got in both States on the Texas and Saint Louis road, and on both ends of the road.

Q. How is it delivered to you?—A. It is delivered by car.

Q. Your principal place of business and yard is here?—A. Yes, sir.

Q. To what points do you ship?—A. To Western Texas, Kansas, Missouri, Nebraska, and the Indian Territory.

Q. How many millions are covered by your business, say in an average of a year?—A. We average, I suppose, about 40,000 feet a day.

Q. Now, what was the promise, so far as you could judge, of the lumber business for this year?—A. We considered it very flattering until the time of this strike.

Q. What effect had the strike upon it?—A. It almost killed it.

Q. You may state in general terms the way in which it injured your business?—A. It has had a tendency to lower the price and to decrease the demand very much. We were shipping from 40,000 to 50,000 feet a day when the strike came on us, and since that we have not averaged over 10,000 feet.

Q. Then as an effect tending to injure for a time the men who own the land, it stopped the demand for timber?—A. Of course, it has injured them in that way.

Q. And the log-holders and the log-cutters and the manufacturers of the lumber and all affected in its distribution?—A. Yes, sir.

Q. And this distribution was interfered with so that the prices were reduced?—A. Yes, sir.

Q. Are there any other facts connected with it?—A. It has materially injured it in every sense of the word.

GEORGE W. FOUKE sworn and examined.

By Mr. PARKER:

Question. Are you connected with the lumber business here?—Answer. Yes, sir; have been for six years.

Q. What is the amount cut in the vicinity?—A. Our produce last year was about 37,000,000 feet.

Q. What amount of that was cut in this vicinity?—A. That was the amount cut and delivered.

Q. Would that include what is brought in from some distance?—A. That includes the delivery adjacent to this town.

Q. Would it include all the amount handled at this point?—A. Yes, sir.

Q. What was the prospect this season for the lumber business?—A. We had a very promising prospect, and all the evidence that came to us from the north was of an assuring character. All our mills were producing largely, and we had a great many orders on our books at the time the strike occurred.

Q. What were the orders you speak of?—A. We were well prepared to stock Kansas, Missouri, and Nebraska, and the Iowa trade.

Q. State in general terms the effects of the strike upon your trade.—A. Our orders were to a great extent countermanded, and since we have been simply living from hand to mouth on the orders that we get.

Q. And you have to carry the stock?—A. We have the stock.

Q. So you agree with the remarks of the other gentlemen as to the lumber?—A. I can say that I fully corroborate their statements.

FREDERICK W. SMITH sworn and examined.

By the CHAIRMAN:

Question. You have heard the statement of Captain Trigg in relation to the disturbances. Do you corroborate his statement?—Answer. Yes, sir.

Q. Will you tell us what amount of damage was done to the railroad company you represent?—A. I cannot tell you the amount of the volume of damage that was done. There were some engines stopped on the road.

Q. How many engines were disabled?—A. About ten, I think, and the switch engine.

Q. Just tell us generally what occurred.—A. They were taken in, blown out, and disconnected, the water taken out of them, and one engine came very near being burned up by taking the water out before withdrawing the fire.

Q. The engines were killed?—A. They could not be handled without considerable repair.

Q. What other damage was done?—A. The water was let out of the tank, so that we could not get any water for the engines.

Q. Did that interfere with the passenger trains that carried the mail?—A. Yes, sir.

Q. Do you know that any passenger or mail trains were stopped in consequence of the strike?—A. They were all behind from five to six or seven hours all through the strike. Just as soon as a train got here it was side-tracked; they would pile up on the engine and pull out the pins and bolts; and when we attempted to make up a train or shift it or put it on another side, or get ready to take it out, they would pursue the same course.

Q. You were a railroad station agent of the Iron Mountain road at that time?—A. Yes, sir.

Q. Do you know many of the parties who were engaged in the strike?—A. Well, I knew quite a number of them; I knew a number of my switchmen that were working for me in the yard.

Q. Did they belong to any labor organization?—A. Yes, sir; they claimed to belong to one. They said they could not do it without permission of the executive. We had a car of produce which I wanted brought up for the use of the merchants, and wanted to get this car switched. They said we could not do it until we had permission of the executive board, and they got their permission.

Q. The executive board of what?—A. The executive board of the Knights of Labor, they claimed.

Q. Were there any engines belonging to the Texas and Pacific road captured there on this side to prevent them from going out?—A. There were four or five of them.

Q. For how long a time?—A. Up to the time that the citizens had a meeting in the Marquand, in the neighborhood of fifteen days, and right at that time when they agreed to assist in protecting the property. Mr. Graves, the train-master on the Texas side, and myself and two or three others captured them and brought them back.

Q. And delivered them to the Texas and Pacific officials?—A. Yes, sir. They wanted to keep them from running on the road.

Q. How long a time were they down the track?—A. They were taken down there on the 8th of March, and the citizens' meeting was on the 24th.

Q. Who was it agreed to assist the citizens in protecting the property?—A. The Knights of Labor, and they said that they would see that the railroad company was not interfered with.

Q. But did they see that it was not interfered with?—A. They did not; but, on the other hand, they went right to interfering as much as possible. On the strength of their promise Judge Friedell telegraphed to the authorities of the road.

Q. Do you know anything about any misplaced rail or rails?—A. Mr. Maxwell, who is the superintendent of the Iron Mountain road, came to me and told me that the men had gone up the track with a pinch bar and claw bar, and he thought they meant some damage; I saw Sheriff Hamilton and some four or five others, and they went out and saw

these two men on the track. It was reported that the two men were supposed to be pulling up the track, and it was thought they could do nothing before we could take a switch engine and go out there. They got the engine and went out there, and it was reported that there was a rail taken up on each side of the trestle, the spikes pulled, and moved so that there was a space between the ends of the rails, and they had to repair the track before they could come in.

Q. Were these men Knights of Labor?—A. One of them was and one was a hostler.

W. H. SWEENEY sworn and examined.

By Mr. PARKER:

Question. Are you a Knight of Labor?—Answer. Yes, sir.

Q. Were you on the 1st of March?—A. Yes, sir.

Q. Did you act as a deputy marshal at any time?—A. Yes, sir.

Q. When was that?—A. I have been acting as a deputy marshal for four years until about two weeks ago.

Q. Were you delegated to the city of Marshall at any time by the Knights of Labor?—A. I was not delegated; I was sent down there by brothers of the order.

Q. How near the time of the strike?—I was sent down there on the 31st of March.

Q. You found Martin Irons there?—A. I met him there.

Q. And others of District Assembly No. 101?—The executive board; I saw them there.

Q. Was the proposition to strike consulted about there?—A. It was talked of.

Q. What was your proposition; as being in favor of or against the strike?—A. I was not a member of the executive board. I could take no action myself at all; our assembly was not connected with District Assembly 101.

Q. Did you advise the strike?—A. I did not advise, not being a member of the executive board.

Q. Did you learn there from those men representing a body of the Knights of Labor the ground proposed for the strike?—A. I learned it at a citizens' meeting there; there was a meeting of citizens and the mayor of the city was present, and there was then a communication with Governor Brown.

Q. I wish to know if from the Knights of Labor or the executive board of District 101, you learned the cause or ground of the proposed strike?—A. Well, as I understood it, they would not meet a committee of arbitration.

Q. Who would not meet a board of arbitration?—A. Governor Brown.

Q. Governor Brown would not meet a committee of Knights of Labor and they resented that?—A. That was a portion of the grievance.

Q. One of the grievances, then, was to compel the managers of the railroad to recognize the Knights of Labor officially?—A. It was no business of mine; I am not a railroad man.

Q. I simply want your conclusion as to the ground of the strike.—A. That is what I understood was the ground of the strike.

Q. What can you give as to the cause of the Knights of Labor interfering with property and the movement of trains?—A. Nothing as I know. As an officer here, upon being called upon—I was called out by the sheriff to assist, and afterwards, being an officer in the militia company, I was present with it.

Q. You may tell us what you know of the acts of the Knights of Labor as an organization in relation to the strike.—A. Well, from the time we had trouble in the yard I had not anything more to do with the Knights as an organization. I did not attend their meetings.

Q. You had no communication with them?—A. Not as a body, but individually I talked with some of them.

Q. What interference with the train business did you know of being done by the Knights of Labor?—A. Well, the strike interfered with business greatly.

Q. What acts do you know of having been done interfering with business by the Knights of Labor?—A. The trains being side-tracked.

Q. What else?—A. I know the saw mills were compelled to close up.

Q. Anything further?—A. There was a general depression of business.

Q. Anything more?—A. No, sir.

CLARK HALL sworn and examined.

By the CHAIRMAN:

Question. There has been something said here by Captain Trigg, of the militia company, about a man named Cook having been found in possession of a switch key on the Iron Mountain road. Are you able to state how he got possession of that key?—Answer. I cannot. I know that he had a switch key, but do not know how he got it.

Q. These switch keys are numbered, are they not, and the parties getting them are responsible for them?—A. Yes, sir.

Q. Are you an official of the company, and what position do you occupy?—A. I am trainmaster.

Q. Have you not traced back to see what man had possession of that key?—A. I cannot find out who had possession of it. He was never furnished with a switch key.

Q. Then you do not know how he obtained it?—A. No, sir.

Q. You do not know who had the key before he had it?—A. No, sir.

Q. Was this man Cook in the employ of the railroad company?—A. Yes, sir.

Q. Can any man get one of those keys that works there?—A. No, sir.

Q. Did this man Cook have a key?—A. He was not supposed to have a key.

Q. How long have you been in the employ of the company in the capacity in which you are now employed?—A. Two years.

Q. Then you would have known if he had any authority to have such a key in his possession?—A. Yes, sir.

Q. Had he any such authority?—A. No, sir.

JOHN CUCKLER sworn and examined.

By the CHAIRMAN:

Question. Have you been working for the Iron Mountain road—Answer. Yes, sir.

Q. And until the consolidation of the companies you were receiving \$50 per month?—A. Yes, sir.

Q. When the roads were consolidated under the Missouri Pacific did you make any complaint to the general superintendent, E. L. Dudley?—A. Yes, sir, I did; as the work for both companies in running the water station was too much.

Q. Did he raise your wages?—A. He did to \$70.

Q. How long did you receive that salary?—A. Until the 1st day of December, 1884.

Q. Was your salary then reduced; if so, to what?—A. To \$50.

Q. Did you continue to work?—A. I refused to go to work any more, and the foreman begged at me to stay, and said that he would do what he could to get my wages restored; and I went on and worked.

Q. Did you write to the general foreman about it?—A. I wrote to Mr. Mars here, the foreman, and asked him to get it for me; and as soon as the difficulty was settled he could demand an increase of pay.

Q. He refused to raise your wages?—A. He said he would not do it.

Q. Did you continue to work?—A. I continued until District Assembly 101 caused us to quit.

Q. Did you not ask for an increase to \$60?—A. I was refused twice.

Q. How many hours per day had you to work?—A. It was running about eleven hours a day on the average, and I had to work very hard to do it.

Q. How long did you remain in your position?—A. I quit on the 10th day of August, and I went to work on the 17th of December, in the car department of the same road, and worked until the 1st day of February, 1886.

Q. How much did you get a day?—A. I got \$2 a day—less hours and easier work.

Q. What happened on the 1st of February, 1886?—A. On the 1st of February or last day of January I was told that the assistant foreman wanted me to take the pump back. I told him I could not do it at that price. Well, he said, if you will take it back I will do all in my power to get your wages raised. I then said that I would take that back.

Q. Did you go back?—A. I did.

Q. Did you get your wages raised?—A. I did not.

Q. Did you quit work?—A. I did when ordered out by the executive of the Knights of Labor.

Q. Were you a Knight of Labor?—A. I was.

Q. Are you one now?—A. I am.

Q. Did you think by going out you would settle the matter?—A. When I am ordered out by my superiors I go.

Q. Would you go blindly just like a soldier and obey orders?—A. I do not go like a soldier.

Q. How long have you lived here?—A. Ever since the 10th of July, 1876.

Q. Are you a married man?—A. Yes, sir.

Q. How many children have you?—A. I have a wife and three children.

Q. Did you acquire a homestead here?—A. Yes, sir; I have a piece of land here.

Q. Did you save the money here to buy that land?—A. I made my actual home here.

Q. What are you doing now for a living?—A. I am working on my place. I am not in the employment of any railroad company.

Q. What did you accomplish by going out on a strike, so far as you were affected per-

sonally. Did you get higher wages during the time of the strike?—A. While I was out who was I working for?

Q. I do not know.—A. I was not working. I was working on my own place, and am working there now.

Q. What did you accomplish, so far as your relations with the railway company were concerned; anything?—A. No, sir. I do not think it has affected the question at all.

Q. (By Mr. BUCHANAN.) What were your duties?—A. I was in charge of the water station—pumping water.

Q. But you did not work the pump yourself?—A. I fired for my own engine.

Q. You attended to the engine, and that attention was to keep it supplied with fuel and watch this pump?—A. Yes, sir.

Q. And how large a proportion of the time were you actually employed in shoveling coal?—A. We did not have any coal; we used wood.

Q. Well, then, in feeding the furnace with wood?—A. Just as soon as one fire would go down I had to build another.

Q. How large a proportion of the day did it require actual manual labor? I am not familiar with it, and I ask you so that I may know.—A. It does not take a man to stand at the furnace all the time. I do not know that I can give you the exact time.

Q. About how large a proportion of the time, and I desire you to answer?—A. About one-third of the time.

Q. And what is done the remainder of the time?—A. I have to go between times to change my valves and walk very nearly half a mile; up to the Marquand or so and back.

Q. Then you have to watch your boiler and the engine?—A. I have to watch everything. It keeps a man constantly at work.

Q. Now you say that when you were placed in charge the second time of the two pumps that this required you to work about sixteen hours?—A. Yes, sir.

Q. How many days in the week, or weeks in the month, would that be the case?—A. Well, the longest hours were in the winter, running from September to February.

Q. Now you will be kind enough to notice my question and to answer it. About how large a proportion of the time that you were running both of these pumps were you required to work sixteen hours each day? One-third or one-fourth of the time?—A. I would say over one-half.

Q. When you were running one pump, about how long were your average hours a day?—A. About twelve hours.

Q. How many engines on that road took water daily at that tank?—A. I do not know that I could tell you; just how many. Part of the time they would haul water for those water stations out in Texas. They have hauled as high as three, six, and eight tanks at a time.

Q. And you would be required to pump the water for them?—A. Yes, sir.

Q. During the season when that was not done would your daily hours of labor be less than before?—A. No, sir; never under ten hours.

Q. Have you applied to the company for work since you went out on the strike?—A. I wanted to ask them for my work. I sat down and wrote to my foreman as to what would be the chance for a job in the bridge and building department.

Q. How long ago?—A. Last Wednesday, I believe.

Q. Did you receive a reply?—A. I have not.

Q. You say you have a little place of your own; how many acres?—A. Thirty-seven acres.

Q. What did you do in the car department?—A. I repaired cars before the transfer.

Q. Are you a mechanic?—A. No, sir; I cannot say that I am a mechanic.

Q. Did you ever learn the carpenter's or machinist's trade?—A. No, sir; I worked a great deal with machinery.

Q. But you never served a regular apprenticeship?—A. No, sir.

Q. (By Mr. PARKER.) Are you a native of this State?—A. No, sir.

Q. Where were you born?—A. In West Virginia.

Q. While you were employed at the water-pumping business you carried on your place, I suppose?—A. I hired it done, sir.

Q. You were paid \$50 a month for your services by the company?—A. Yes, sir; last December I was.

Q. Do you know what the man receives who succeeds you?—A. I do not.

Q. Do they not still pay \$50 a month?—A. I do not know; I did not ask.

Q. (By Mr. BUCHANAN.) Did you receive \$50 a month in September, 1884?—A. I received \$70. It was reduced in December.

Q. You received \$70 a month in September?—A. Yes, sir.

JAMES ASHCRAFT sworn and examined.

By the CHAIRMAN:

Question. Have you worked as foreman for the Iron Mountain road?—Answer. No, sir; I am employed by the Texas and Pacific road. I have been in the motive-power department for the last four years.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Did you go out on the strike?—A. No, sir.

Q. Were you discharged?—A. No, sir.

Q. Are you still in the employment of the company?—A. Well, hardly. I was running a switch engine in the Texas and Pacific yard when this strike came up. There was some trouble between Mr. Clark Hall and John Carmichael, who was then yard-master, in reference to discontinuing the switch engine during the strike, and it was discontinued on the morning of the 6th of March. After we had the arrival of new men Carmichael came and told me he would have to have her taken off, and for me to take her to the roundhouse.

Q. And that severed your connection with the road?—A. Yes, sir; I applied twice to the traveling engineer for work after the strike was inaugurated. I applied twice to him and applied twice to the master mechanic, but have received no answer yet.

Q. Has that switch engine gone to work again with another fireman?—A. Yes, sir.

Q. Have you ever been paid wages for extra time?—A. Well, no. For firing on that switch engine I have been receiving \$80 a month, provided I worked a full month. Frequently I would be short on my check when the pay-car would come—a dollar or two, say.

Q. Did you make complaint?—A. I have made complaint to the man who kept the time here, a man by the name of Caldwell, and asked him to write for it. That was when I was fireman on the road.

Q. How long ago is that?—A. A couple of years ago.

Q. Have you ever heard any complaint of others?—A. Oh, yes, frequently.

Q. Had you any grievance that you put in the hands of the grievance committee of the Knights of Labor?—A. No, sir; I have never had a grievance.

Q. You say that you did not go on the strike, and you do not know whether you are going to be employed?—A. I sent to H. Watts, the master mechanic, and have not received any answer to my application.

Q. When did you write to Mr. Watts about it?—A. About the last of this week, three or four days ago, after the strike was called off. I reported down there for work and waited some time for an answer there. Mr. Davis, who has gone off, he told me he would give me a situation on the road. I wrote to Mr. Watts myself and never received an answer.

Q. (By Mr. BUCHANAN.) And that letter was written last week?—A. Yes, sir.

Q. (By Mr. PARKER.) John Carmichael asked you to come into the employment as a hostler and offered you a place which would have given you as much as you had before?—A. No, sir; the first time that I applied to Mr. Carmichael was a few days after he came up here. That was shortly after the strike was inaugurated here; and they began asking me about having quit my job and that I had given up my job; and they asked me "Are you ready to go to work when the company asks you?" The next time I reported here was when they got these engines from the Iron Mountain roundhouse and the other man was put to work. The first time I talked with Carmichael quite awhile, and he said to me after I had talked to him some time, "I understand you belong to the Knights," and then said if I did he thought I had better leave them.

Q. Did he not give you to understand that if you would go to work as a hostler you would be employed?—A. No, sir.

Q. Had you a suggestion from any one that you could have that place?—A. No, sir.

Q. Have you a family?—A. I have.

Q. What work have you been doing?—A. I have had none.

Q. Have you been ready at all times to go to work at reasonable wages?—A. Yes, sir.

Q. In the same place, or something similar?—A. Yes, sir; in the motive-power department.

Q. Have you been prevented by their failing to employ you?—A. Yes, sir.

Q. Did you do any act that would justify them in not employing you?—A. No, sir, I do not know of any, and I do not think any one else does.

PATRICK O'BRIEN sworn and examined.

By the CHAIRMAN:

Question. Are you a railroad man?—Answer. I worked in the freight-house.

Q. How long have you been so employed?—A. Just ten years.

Q. In the employment of the same company?—A. Yes, sir.

- Q. The Iron Mountain Railroad?—A. Yes, sir.
- Q. Are you still so employed?—A. I have not worked for the last two months.
- Q. How did you lose your employment?—A. I quit at the time of the strike.
- Q. You were a Knight of Labor?—A. Yes, sir.
- Q. Have you been out of employment ever since?—A. Yes, sir.
- Q. Have you ever sought re-employment from the company?—A. Yes, sir. I reported when the strike was settled.
- Q. To whom did you apply?—A. To the agent.
- Q. Were you denied employment?—A. He said he was full-handed at present.
- Q. Was that the only reason he assigned for not giving you employment?—A. Yes, sir; that he had all he needed.
- Q. Have you a family?—A. No, sir.
- Q. Did you get extra pay for extra time while you were at work for the company?—A. We worked about thirteen hours a day and sometimes we had to stay up all night.
- Q. Were you paid for the extra time?—A. No, sir.
- Q. Did you complain of that to anybody?—A. Well, no, sir; I did not speak of it.
- Q. Did you not complain of it to any person?—A. The agent said it was too bad, but they would keep us all about thirteen hours.
- Q. What pay were you receiving?—A. We were getting \$1.50. We did not strike on that. We were working along at that, and our pay was cut down, and we have got only \$1.25. That is all we got there.
- Q. For the \$1.25 you worked thirteen hours?—A. We were paid for thirteen hours a day at \$1.25.
- Q. How many hours constitute a day's work?—A. Ten.
- Q. And they put you on three hours extra?—A. Yes, sir.
- Q. Did you present that grievance of having worked at nights without extra pay to the Knights of Labor?—A. I guess they knew it.
- Q. But did you present that to the Knights of Labor?—A. We presented it to-day.
- Q. Is this the first time that you presented it?—A. Yes, sir.
- Q. (By Mr. BUCHANAN.) How old are you?—A. About 45 or 47, I cannot swear to that.
- Q. Are you suffering from illness?—A. No, sir.
- Q. (By Mr. PARKER.) What are you doing for a living now?—A. Doing nothing at present.
- Q. How long is it since you earned anything?—A. Not since the 14th of March.
- Q. Have you a family?—A. No, sir.
- Q. Only yourself to support?—A. That is all.
- Q. Did you quit work on the strike?—A. I have worked one or two days since. I worked one day and a half.
- Q. Why did you not continue?—A. I was ordered to quit.
- Q. Who ordered you to quit?—A. Well, I cannot swear that.
- Q. Was it the Knights of Labor?—A. It was by their authority.
- Q. You quit, and then when you had no work you felt that you did not do so well?—A. That is a fact.
- Q. Where were you born?—A. In Ireland.
- Q. What county?—A. County Tipperary.
- Q. Was it not better to work for \$1.25 than to be idle as you have been?—A. I was in the expectation of getting more. I quit.

JOHN KELLEY sworn and examined.

By Mr. PARKER:

- Question. Did you go out on the strike?—Answer. No, sir.
- Q. Are you employed by the company?—A. I have been; I am not now.
- Q. Why not now?—A. Well, they discharged me.
- Q. What were you doing at the time?—A. I was watchman on the platform.
- Q. When were you discharged?—A. On the 28th of last month.
- Q. What wages did you receive?—A. Fifty-five dollars a month.
- Q. Had you at any time received higher wages?—A. No, sir. I worked on the baggage and freight department.
- Q. Had you any complaint, or did you put in any grievance, or on what grounds were you discharged?—A. I do not know. Mr. Hall was down here, and he claimed that there was somebody in that house some nights. I never saw anybody there. The place was supposed to be locked up, and I did not know anything about anybody being there.
- Q. You were not conscious of doing anything that you should be discharged for?—A. No, sir.

Q. Have you sought work with them since?—A. I went to work for them one day and I got an order to quit again.

Q. From whom did you get the order to quit?—A. From Mr. Gilman. He got orders from the general agent of the freight department.

Q. He got orders not to employ you?—A. Yes, sir.

Q. Was it on account of your failure to watch the house properly, or for some other cause?—A. I do not know, sir.

Q. Do you know of any other employment you can get?—A. I suppose I can get employment.

Q. Do you know any, when or where?—A. No, sir.

Q. Have you a family?—A. No, sir.

Q. (By Mr. BUCHANAN.) What board have you to pay?—A. Twenty dollars a month.

Q. Do you know how much farm labor gets in this section?—A. No, sir; I do not.

Q. (By Mr. PARKER.) Then your claim is that they discharged you because you allowed and did not prevent persons from going into the premises of the company?—A. Yes, sir.

JAMES H. BURK sworn and examined.

By the CHAIRMAN:

Question. You occupy the position of secretary of the Knights of Labor?—Answer. I am recording secretary of the executive board here.

Q. Have you any general knowledge of the men who were out on the strike applying to the officials of the company for reinstatement?—A. The only knowledge I have is that since we received information that the strike was off we ordered all men to go down and report for work.

Q. When this committee reached Saint Louis?—A. I think it was on the 3d of the month or the morning of the 4th that we received the order. As soon as I received the order I notified all the railroad men here to go down and report for their positions. They reported back to us that they could get no satisfaction at all. They waited for orders, and the officers had no orders to employ more men.

Q. So that nobody was reinstated or employed in their former positions?—A. No one. Some of them went to work on the narrow-gauge road; but not on these roads.

Q. (By Mr. BUCHANAN.) Do you know whether on the 4th day of May all the positions had been filled?—A. I do not.

Q. You have no knowledge one way or the other as to whether on the 4th day of May the old positions had been filled?—A. Well, only part of them had.

Q. Do you know whether any were still vacant?—A. I do not.

Q. You are not a railroad man yourself?—A. No, sir.

Q. (By Mr. PARKER.) This local assembly that you belong to is a mixed assembly?—A. Yes, sir.

Q. Containing men of different classes and railroad men—what you would call a trades assembly?—A. Yes, sir.

Q. What is your business?—A. I am a house painter.

Q. Were you helping to manage the business of the railroad men and the officers connected with the company?—A. I certainly assisted in that so far as the correspondence is concerned.

Q. You did not work on the railroad?—A. I was never employed on a railroad a day in my life.

Q. And only helped in the interference with the business by giving the assistance you have described?—A. I assisted them as they asked me.

Q. (By Mr. BUCHANAN.) What are the wages of a journeyman house painter here?—A. Two dollars and fifty cents a day.

Q. And work all the year round?—A. Well, no, sir. There are about eight or ten weeks in the year that we do not get much work to do.

Q. This \$15 a week does not include board?—A. No, sir.

Q. (By Mr. PARKER.) About how many Knights of Labor are there in your assembly?—A. I cannot answer that question. I do not know how many there are.

Q. About how many?—A. About one hundred and fifty; somewhere in that neighborhood.

Q. How many in the city, including both sides?—A. I expect there are probably six hundred.

Q. Do you belong to District Assembly 101?—A. I do not.

Q. What is your district?—A. We are not attached to any district. We are attached to the general assembly.

Q. (By Mr. BUCHANAN.) Was there any proposition brought before your assembly as to whether you would sustain District Assembly 101 in ordering a strike?—A. I cannot answer that question.

Q. Why; because you do not know?—A. Well, I do know, but would prefer not to answer.

Mr. BUCKANAN. There is nothing in the principles of the order or anything in your obligation that prevents your answering? Other secretaries have been answering it while we have been conducting this investigation?

The WITNESS. I will answer. It was submitted to our assembly.

Q. Did your assembly vote to sustain District Assembly No. 101?—A. We did not reach that necessity.

Q. And so the strike was ordered before your assembly voted. Did it also participate in the strike?—A. Yes, sir.

Q. But that was only as to members employed by the railroad company?—A. Yes, sir.

JOHN CUCKLER recalled and examined.

By the CHAIRMAN:

Question. Will you state what proportion of men are employed by the railroad company now as compared to the number employed by them before the strike?—Answer. I do not think there is very near as many as there were then.

Q. Are the companies conducting the business with the same facility as they were before the strike?—A. They are. In fact they are doing better since. I was called off by the executive board, and was ordered out of the yard; and I have got on just as if I was a man on the public road.

Q. (By Mr. PARKER.) What did you pay the man you employ on your farm while you were receiving \$50 at the pump?—A. I do not think that is a fair question.

Q. I think it is, sir, and demand an answer?—A. Well, we paid different amounts.

Q. How much?—As high as \$25 or \$30 a month.

Q. And board them?—A. No, sir; they boarded themselves.

PALMER DAVIS sworn and examined.

By Mr. PARKER:

Question. What is your business?—Answer. I am a newspaper man, correspondent of the Galveston and Dallas News.

Q. Have you made something of a special study of the position of the Knights of Labor and of other union men in relation to capital and labor?—A. Yes, sir.

Q. You may state to the committee the results at which you have arrived.—A. In regard to this particular strike I will state that during the past month or more I have had a good many interviews with parties who have been examined by this committee—among others, the man named Hall, of Marshall—and several others, and I came to the conclusion that the cause of the strike was not the discharge of Mr. Hall, not the bare fact of their being ordered out by Mr. Irons, and not in any of those little causes that have been assigned to this committee, but that they were only the pretext, and that the real cause lay down under that, and was the same that has caused the labor troubles all over the country.

Q. What is that?—A. I think it is the failure of the Government to keep pace with industrial development. The primitive forms of government which answered very well about two hundred years ago are no longer adequate, and the time has arrived when the National Government should take upon itself the management of the public highways.

Q. Would you have them take charge of the canals?—A. Yes, sir.

Q. What would you have them to do with the mines?—A. I think that they should direct them also.

Q. And what as to the oil-wells?—A. I think that they should take charge of any industry that would be a monopoly.

Q. And how as to lumber?—A. Well, lumber is susceptible of being grown or cultivated, but if it is found to be impossible to prevent the lumber business from being a monopoly otherwise, then we should subject it also to Government management or control.

Q. What is your conclusion as to what national legislation is necessary in connection with labor questions?—A. I do not think that any legislation is called for.

Q. And what would you say as to legislation in regard to the management of railroads where not taken possession of by the National Government?—A. I would prefer that the State government should assume the management of those enterprises.

Q. Do you find that any one agrees with you in those opinions?—A. I think that the majority of the working people believe that the Government should assume the management of the railroads.

Q. Is not that based on the idea that they think they can manage this business better

than the railroad officials can themselves?—A. They think that the Government could manage these things better.

Q. Do they not put it on the idea that they are the Government?—A. They feel that they have something of the control of the Government.

Q. Do they not talk that labor created all these things and that labor practically owns all that it has created?—A. No, sir; I think not.

Q. And that those who have got railroad property have got it at the expense of those who created that property by labor?—A. That is undoubtedly the final fact.

Q. Is that the belief of a great many in this part of the country?—A. I do not think that such an idea has generally obtained.

Q. Do you not think from your investigation in this matter that the whole assumption of the right to strike and derange business and take possession of property has grown out of the talk among the men and the belief that they created this property and therefore have a moral right to take part in its management?—A. I do not think so. I do not think that the masses of the people have any such idea as that.

Q. Have you been present at the meetings of union men so as to know whether their prevailing feelings indicate that?—A. I am not a member of any union, and have only heard what they have said at public meetings.

Q. Have you ever heard Mr. Coughlan?—A. No, sir. I would like to state that I think the trouble lies deeper than has been suggested, and that it is in the monopolization of the land and forcing the population into the centers, thus preventing its distribution.

Q. I suppose you have ridden over the road from Denison to Fort Worth; from Fort Worth to Galveston, and then up to Marshall and Texarkana. Did you not find immense tracts of land there that were subject to cultivation and that would support a couple of million of people at least?—A. Yes, sir; but it might as well be located in the midst of the sea as there, by reason of its price, its location, and its inaccessibility to the masses of the people.

Q. Is there not fine land in Western Texas which can be had at very low rates; for a dollar and a half or less an acre?—A. I am not familiar with Western Texas, but my information is that it is practically valueless on account of the difficulty of getting people to it.

Q. Is it not one of the troubles in settling lands that men and their families desire to get into the villages and towns and small cities so as to have the social advantages of society?—A. It springs mainly from the hopelessness with which young farmers regard their situation. They see that it is impossible to have farms of their own, and hence they go into the cities to work.

Q. Why not go on to these farms out there and acquire them as their forefathers did?—A. Their forefathers could get farms for the asking for.

Q. If the land were given to them would they take it and live on it?—A. There would not be enough of it to afford relief.

Q. What you have stated here are the conclusions upon your theories and investigations?—A. Yes, sir.

Q. And not matters of proof, are they?—A. It seems to me that they are.

Q. (By the CHAIRMAN.) Do you not know that the State of Texas has been selling her school lands for the last ten years at from one to two dollars an acre on time varying from ten to thirty years, and at from 5 to 8 per cent. interest?—A. Yes, sir.

Q. And do you not know that the State gives the purchaser the option to pay his annual interest for the entire time given, or to pay for the land in less time?—A. That is a fact, I believe, when the lands are sold wholesale or in large blocks.

Q. I will tell you as a matter of information that it is expressly provided that there shall not be sales in large blocks. Are you not aware that these public lands were located in most of the counties in Texas, and comprised some of the best lands in the State?—A. So I believe, sir; but the moment any considerable number of new settlers come in the price of the land goes up so that it crowds out others.

Q. (By Mr. BUCHANAN.) Is there anybody crowded in Texas?—A. No, sir; but as soon as a city commences to grow up the price of land rises, so that the land round the cities here in Texas for small farms anywhere near the cities is dearer than land is in Massachusetts.

Q. How long have you been a resident of the State of Texas?—A. Only two or three months.

Q. Before that time had you ever been in the State of Texas?—A. No, sir.

Q. What is your age?—A. Twenty-six, and nearly twenty-seven.

Q. (By Mr. PARKER.) What do you think of the desirability of encouraging immigration or not?—A. I do not think there is any surplus population. It all depends upon the distribution of the land as to whether there is a surplus population or not.

The subcommittee then adjourned to meet at Little Rock on the call of the chairman.

LITTLE ROCK, *Wednesday, May 12, 1886.*

The subcommittee, of which Hon W. H. Crain is chairman, convened in the United States court-room, in the post-office building, at Little Rock, this day, and proceeded to take testimony.

CORNELIUS GRIFFIN sworn and examined.

By the CHAIRMAN:

Question. You are general road-master of the Iron Mountain Railroad?—Answer. Yes, sir.

Q. And have been how long?—A. About two years.

Q. Were you occupying that position when the strike on the Southwest system took place, about the 1st of March?—A. It was the 6th of March here.

Q. The strike then did not take place here on the system the same day as on the Texas and Pacific?—A. No, sir, it did not.

Q. Did you know anything about the employés previous to the strike being compelled to patronize certain places of business or be discharged?—A. No, sir.

Q. Were you in a position to know if such facts were in existence?—A. I think I was. I have 425 or 430 men under me, and they were not compelled to buy at any certain place; they were at liberty to deal anywhere they chose.

Q. It has been alleged on some places on the road they are compelled to pay hospital fees, and when they fall sick they are discharged.—A. I know of no cases of that kind.

Q. If such things had taken place would you have known the fact?—A. I think I would, if they had taken place in my department.

JAMES T. WHEEDON sworn and examined.

By the CHAIRMAN:

Question. Are you division superintendent of the Iron Mountain Railroad?—Answer. Yes, sir; of the Arkansas division.

Q. Did you occupy that position when the strike broke out?—A. Yes, sir.

Q. How long have you filled that position?—A. Since August, 1884.

Q. Was there a strike here, Mr. Wheedon?—A. Yes, sir. The first information I had in regard to the strike was on March 1. While at Texarkana we received reliable information there stating that the Texas and Pacific were on a strike, and that they would insist upon boycotting all Texas and Pacific cars throughout the entire Southwest system. Orders were issued at once not to handle Texas and Pacific cars, even so far as to cut off passenger coaches that had been running for two or three years between El Paso and Saint Louis. They were all stopped at Jackson. Having taken this precaution we thought there would be no trouble on our road. Mr. Fleming remained here three days. The master mechanic said no grievances were presented to him; there were none to me, and we felt perfectly safe in our matters. But on the 6th of March, at 10 o'clock, the whistle blew. Every man in the shop dropped his tools, with the exception of two foremen and one man, and walked out. That was on the 6th. No action was taken to stop trains until the 8th of March. The first thing I knew next we had deputy sheriff's regularly deputized from the sheriff of our county, who, thinking they were good men, had commissioned them as a posse.

Q. You mean striking employés?—A. Yes, sir; striking employés. We found the men, to our surprise, in full possession of everything on the 8th; and they told Mr. Richardson, the master mechanic, that no freight trains should run.

Q. Who did that?—A. This committee. And that committee were a part of these deputy sheriffs, and ordered that no freight trains should run, but that they would allow passenger trains to run regularly. The committee remained, and they said that no one else would be allowed there—even going so far as to say that they should not coal up freight trains. They let the regular coaler remain to attend to the passenger trains, but to no freight trains. This was kept up until the 13th of March, and they did not allow any freight train to run. Mr. Worthen, the sheriff, then found that they were not doing what they told him they would do, protect the property, but that they had been disabling engines. They at last allowed a committee to be appointed, which examined the situation. Mr. Worthen then published a notice on the 14th, stating that hereafter he would take his own deputies, and that all deputies appointed by him, both Knights of Labor or railroad men, were recalled. From that time we had no further trouble. He appointed good men; they attended to their business, and things began to move. We had to send to Philadelphia to get part of the pieces removed from the engines. The actual violence began on the night of the 8th, when a mob of fifteen or twenty or more masked men, encountering the local freight train at the Fort Smith crossing, took the train and disabled it. In the beginning they were very active in disabling engines.

Mr. DeLay stated in my presence that the easiest way to disable an engine was to take the set screws out of them. It is a little screw, probably an inch in diameter and 2 inches in length, which is in the eccentric strap, to the best of my knowledge, and one man can take it out. They can do it in the dark, so that no one can see them, and the engine cannot then be moved. We have in the Baring Cross shops twenty-four engines that were so disabled. Baring Cross is right across the river here.

Q. The shops for this point?—A. Yes, sir; the distributing point for both divisions, north and south. That was the first real violence that was committed. On the 11th; Mr. Richardson, the master mechanic, found half a dozen set-screws and fired up a couple of engines for the purpose of taking a train south. The strikers got the best of us, and got away with that train by taking it at Nison, six miles from here, and disabling it. Mr. Worthing kept his offices here, and we succeeded in getting another fired up again and got along all right. On the 11th they completely disabled all the engines by taking the throttles out of them—some thirty-two altogether.

Q. Did that include passenger engines?—A. No, sir; but all the freight engines, between twenty-four and thirty-two of them. They took the valves and throttles and throttle-valves out, and instead of running trains next morning, as we had figured on, we found that the engines were completely disabled. I thought no more of it, but started for our attorneys, Messrs. Dodge & Johnson, to counsel me. In the mean time, Mr. Hill had conceived the plan of taking the switch engine and an engine that had been disabled, and, coupling on to a number of cars, go to Nison and pick up this dead engine taken the day previous. The first thing I knew I received information that some men had taken possession of engine 408, which was to take out a mail train that had to leave at 12.45. At the time I got the message I heard an engine running through the yard and saw a couple of men with masks over their faces in broad daylight go and jump on the engine. I had no knowledge of what had taken place in the morning and could not think of what they could be doing. I went to the telegraph office and telegraphed to the sheriff, and they came to me. Inside of thirty minutes I heard of the engine passing Jackson, 13 miles south of here. At the same time I found out that Mr. Hill had gone there with a train, and that they were going to recapture it. I wired the sheriff at Benton, also, and notified the agent to capture them or have them identified. At the time the engine reached Benton the switch engine was cut off and got out of the way, and this party had an engine and train and took possession of it. They then started back with the engine for Little Rock. Just as quick as they started with this passenger engine they notified us that they had taken it—the passenger engine—and they had come down for business. As quick as the engine came on its way back I got the sheriff and some deputy marshals with him and we went up the road, expecting that they would come back as far as the big hill and disperse. I never thought they would have the temerity to stay with that engine. After getting out there we had some thirty or forty men. I then ordered the passenger train at Baring Cross to come forward. Mr. Fletcher, the mayor there, with probably a dozen men, got on the train, and we stopped and took up a couple of deputies on the hill. We went out to Embleville, and there they stood, as bold as life, with the engine and caboose and a man disguised—they had a man looking out. As soon as the train that we were on passed the switch, it was turned for them and they threw their throttle pretty wide and started out and left us behind. I could not understand why they were stopping upon the engine, but we did not effect their capture then. Some time after that some men came to me and made some very insinuating remarks, and this, that, and the other, and afterwards they had me arrested, and I am under \$1,500 bond.

Q. On what charge?—A. For assault with intent to kill; I shot at the party.

Q. What was done with them?—A. As yet nothing.

Q. Are they indicted?—A. Yes, sir. Well, I understand they are indicted. That same night I went to the shop, after leaving Mr. Dodge's office, and I found half a dozen parties there with different communications, and they had me half scared to death. I found that they had killed the switch engine, that I had placed a watchman over to prevent it, and I gave them some pretty plain talk. I stepped down off the engine, and two men were standing there, one of them with a skull cap on. He said something that I did not get, but I at once covered him with my pistol and asked him to get out; and the others proved to be sheriffs' deputies and Knights of Labor. I asked him what his business was on our property at that time of night, and he said he was on duty to watch. I had a very plain talk with him for probably fifteen minutes. I asked him what it was they struck for, and he answered me very plainly and frankly that they had no grievance, but said, "I can not say any more."

Q. Did all these disturbances that you speak of occur during the time that these Knights of Labor were acting as deputy sheriffs?—A. That was at night, and next day Worthing took other men there.

Q. How did he explain his action in the appointment of strikers as deputy sheriffs who took charge of the property?—A. Oh, that is an old practice of the Knights of Labor.

They struck; then they appointed themselves as deputies, &c., and take charge of the property.

Q. But in this case they did not appoint themselves?—A. In this instance I think the sheriff was entirely conscientious and was misled as to his duty. As soon as he was convinced how they were acting he immediately displaced them and put in other men.

Q. Did the company ask for protection of their property?—A. Yes, sir.

Q. Prior to the appointment of these Knights of Labor as deputies?—A. No, sir; they got in ahead of us. I went on the 7th, and they were several hours ahead of us.

Q. You really thought it was necessary to have deputy sheriffs appointed for your protection?—A. Yes, sir.

Q. I understand you to say that afterwards the sheriff did appoint disinterested parties?—A. Yes, sir; men to protect our property and ourselves, and connected with the management of the road. We had also a great many little petty annoyances committed during the strike, and there were burning of bridges and trestles, placing obstructions on the track, side-tracking and stopping trains at Newport.

Q. In this State?—A. Yes, sir.

Q. State in general terms what took place at Jacksonville.—A. There was where one of our wrecks was caused by the Knights of Labor. We had sent an engine from here to bring in the engine that was disabled at Newport; in fact there were two of them disabled there. On reaching Jacksonville, some 15 or 18 miles from here and while running along from 10 to 15 miles an hour, they found a switch turned on them and ran them on the side, ditching one of the engines, injuring one of the engineers, and spraining his ankle. There were switchmen, several of them known to have left here in a wagon and gone to Jacksonville, and they were known to be railroad men.

Q. What do you mean by railroad men. Do you mean men employed by the railroad company or strikers?—A. Yes, sir, I suppose you would call them strikers. They called on the section foreman at Jacksonville for the switch-key, which they did not get, and they picked up an ax and broke the lock.

Q. The switch-keys are numbered, are they not?—A. Yes, sir; all keys are numbered.

Q. They asked for the key of that switch?—A. The keys open all switches. They are numbered simply to know who they are issued to. They have not different keys. These men, by the way, I think we will get all of them; the detectives are working on it, but are not ready to make their pull yet. They are known to be Knights of Labor.

Q. Was there any disturbance about the 8th of April?—A. Well, on the 8th of April, it was on the 9th of April, there was a mob of forty or fifty tried to take our shops at Baring Cross. We had then guards to protect the property night and day. They had captured two of our guards and sent a man named Darby, who was known as the secretary of the lodge, to make a demand—

Q. What lodge?—A. The Knights of Labor lodge. [Resuming.] On Hamm Williams, who was acting deputy sheriff in the shops. His answer was by locking Mr. Darby up. He had no more than got back from doing this than the whole crowd was on him, and they opened fire on him and wounded him very badly, but he had nerve and staid with them and held the property. To him alone the company is indebted for that property to-day not being destroyed, or at least engines and machinery all being disabled.

Q. Do you know who constituted that crowd?—A. Well, I know of that one—this leader that was sent forward to demand the shops, and we know him to be a Knight of Labor.

Q. Did this man who was wounded recognize any men who were in the crowd?—A. Oh, yes; he knew several of them.

Q. Did they belong to any organization? If so what was the name of it?—A. Yes, sir; Knights of Labor, he knew several of them to be, and they are well known to be.

Q. What effect had this strike upon the business of the road?—A. It stopped traffic altogether for five days, and after that it was partly stopped, because we could not get the engines out quick enough.

Q. How long did it last?—A. From the 6th to the 28th.

Q. Was that about the time Mr. Powderly issued instructions for the Knights of Labor to return to work?—A. Yes, sir; I think about that time. I think several of our men came to us to go to work, and when Mr. Irons came out in his firebrand circular we did not employ any more.

Q. Did you try to employ men to take the place of the strikers when they were out on the strike?—A. Yes, sir.

Q. Did you succeed or did the master mechanic succeed?—A. He had written to all parts of the country and he succeeded, and at the time the strike was off he had 67 per cent. of the number that he regularly works.

Q. Did the strikers interfere at all with the new employes of the company? If so in what manner and with what effect?—A. They had, as I understand it, a committee appointed that made it a point to wait at the bridge, and if any employe would come

across they would follow him up. We had one or two men pretty badly used up by being assailed, and we had two or three arrested for jumping on another and pounding him up pretty badly. We were compelled to put out boarding-cars to board our men. The houses over there would not board them, and we had to board and sleep our own men there.

Q. What is the reason that the boarding-houses over there would not board these men?—A. Because they were not Knights of Labor and because they were working, is what I understood.

Q. Do you mean that the boarding-house keepers were Knights of Labor?—A. If not, they were in sympathy with them, and would not board the men.

Q. What is the reason that the strikers did not come and attack these men at the company boarding-house?—A. They were under guard; we protected them, until now they are protecting themselves.

Q. This is the capital of the State?—A. Yes, sir.

Q. Did it become necessary at any time for the governor to order out the militia?—A. Texarkana is the only point that the militia was ordered out.

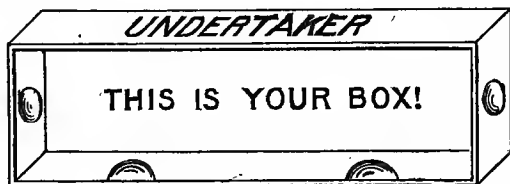
Q. The sheriff was sufficient for the situation here?—A. Yes, sir. This is a sample of some of the notices our men received.

Q. Do you know this of your own knowledge?—A. I know that the man received it, received it through the mail, and I know further that this same man was assailed while at work. A guard also was struck with a slungshot—a nut wrapped up in something—and struck almost along the side of the car where you slept last night. Two of them approached him, and another hit him and knocked him down, and he was very badly hurt. And this man here they threatened for going to work against the order of the Knights of Labor.

Q. Is he a Knight of Labor?—A. He is not.

Q. Might not this assault that was made last night have been from some cause disconnected with the strike?—A. They have been sending him notices with skull and cross-bones on them, and stating that somebody would make \$2 for sitting on the coronor's jury.

After some discussion it was agreed that the following letter, addressed "Nick Enwright, esq., care of Tremont House, Little Rock," duly stamped, canceled, and postmarked "Little Rock, April 19, 12 m.," should be admitted as part of the history of the strike:



"LITTLE ROCK.

"Nick, this is for you, and do not mistake it for any one else. Some people think that the name Scab is not yours, but I think they make a mistake now for your sake stop work or some one will have to sit on a jury and make \$2.00. So much from a man.

"This is Business."

Q. Did it require just two or three deputies or a large amount of physical force to protect the company's property?—A. It required a large number. We tried to do so with a small force and we found it would not work. They kept getting in on us, and one man who could get in at the machinery and disable engines could do a very large amount of damage.

Q. What became of the mass of the strikers?—A. I think about 80 per cent. of them are striking yet. Some of the worst ones, or rather those who took the most active part in destroying property, have left.

Q. What percentage of the strikers remain unemployed to-day?—A. I think about 95 per cent.

Q. Have any of them made application to the company for re-employment since the strike was declared off?—A. A great number.

Q. Have they been refused employment?—A. They have; on the ground that their places are filled.

Q. I understood that the railroad company would not object to the employment of men who were engaged in this strike, provided they had not been connected with the

destruction of property. Am I correct?—A. Yes, sir. We make no distinction between any organization our men may belong to; the only thing we insist on is that he shall be a free man and not subject to any committee. Of course no one who has taken an active part either in violence or otherwise can be taken back.

Q. You say he shall "not be subject to any committee." What do you mean by that?—A. I mean a committee of the Knights of Labor.

Q. What do you mean when you say that; they shall not present their grievances through a committee?—A. We mean that a committee shall not come down into the yard and say what he shall do.

Q. You do not mean to imply that if the men have any complaints to make against the company they shall not deliver the grievances to you through a committee?—A. None whatever.

Q. But you mean, I presume, that a committee shall not have power to come and order them off?—A. That it shall be a committee of themselves, and no outsider.

Q. Have you the same number of men employed in the company's service here that you had before the strike?—A. I think not, sir.

Q. Why?—A. Because the same number are not required to handle the business that we are doing at the present time.

Q. Did you find competent men to fill the places of the strikers?—A. We considered them competent, and we have been enabled to operate the road without any trouble.

Q. How many bridges were burned during the strike?—A. I should say half a dozen trestles.

Q. Is the burning of bridges a common thing?—A. No, sir; I cannot say it is; we have more or less fires in dry weather, and trestles catch fire from some cause unknown; but during the strike it was a daily affair to get report that this trestle or that trestle was on fire; and it caused a great deal of trouble.

Q. Do the bridge and building records show what fires occur on the line of the road?—A. I do not know anything about their records; but I presume from the reports I receive that they would have a record showing the number of fires. I would venture to say that 80 per cent. more fires occurred during the strike than at any time previous or since during the same month.

Q. Are a great many of the trestles fire-traps on account of the old and dry lumber in them?—A. No, sir.

Q. Do you know that they were Knights of Labor who made the wreck at Jacksonville?—A. As I previously said, we think we have got our men, and that it will be proven in the case as to whether they are Knights of Labor or who they are.

Q. Have you discharged any Knights of Labor who went back to work on Mr. Powderly's order, and if so, how many?—A. We discharged one to my knowledge that went back.

Q. On what ground?—A. On the ground that we thought he was working in the interest of the Knights of Labor more than he was for the company's interest. Mr. De Lay, one of the head members, got information that we were satisfied he could only have received from those on the inside, and this party had access to and through the round-house, and that was the reason he was discharged.

Q. What were the freight-handlers paid for overtime?—A. That was not in my department; the agent here would be best able to give you the information on that.

Q. Did the strike affect your business, and were you using as much coal for the service of the trains in April, 1886, as in April, 1885?—A. No, sir; I think not, for the simple reason that we were using coal burners in April, 1885, and in 1886 we were not using them to the same extent. We have probably six or eight engines burning coal; all the others burn wood.

Q. Did you receive as many car-loads at Little Rock in April, 1886, as in April, 1885?—A. I think 10 per cent. greater.

Q. Did you find a scarcity of cars when traveling was resumed, and, if so, what was the reason?—A. No, sir; there was no scarcity of cars as far as my knowledge goes. I know we transacted all the business that was offered, and have been now for some time.

Q. I understood you to say that you would not receive a committee of Knights of Labor to treat with them unless that committee was composed of employes of the company. Is that correct?—A. We are not receiving any committees of anybody at the present time. When our men came back to work we only recognized them as individuals.

Q. Would you receive a committee from any organization, or would you expect to treat each individual separately?—A. We would expect to treat each individual separately.

Q. Then if any employes of your road had, or thought they had, any cause of complaint and appointed a committee of their own number to wait upon you, would they be

received?—A. I would receive them that way. I thought your question was in relation to the strikers out now.

Q. If a committee of the Knights of Labor, an outside committee, not composed of your employes, were to wait upon you with any grievance of your employes, would you not treat with them?—A. We would not treat with them at all.

Q. Have any persons been arrested on warrants charged with wrecking the train at Jacksonville?—A. I cannot say that the warrants are out, or that they are ready to be taken out.

Q. How do you know that Mr. De Lay had the information you spoke of?—A. I only knew it just as you would know it, from seeing it in the papers. It was published in the daily press in Saint Louis.

Q. It stated the facts, did it?—A. It got pretty close to some of them, and about others it was away off.

Q. When you said that you would not receive an outside committee of the Knights of Labor for the purpose of considering any grievances of your employes do you base this action upon orders from your superiors, or is it upon your own motion?—A. It would be done of my own free will. Of course we would have to work with the employes we have, and we are not working with outsiders.

Q. I am requested by Mr. Litchman to ask you, have you received any orders of that kind?—A. The orders that we are working on have been published pretty freely and plainly throughout the press for the last thirty days that Mr. Hoxie and Mr. Kerrigan gave over their signatures; and it is not necessary for me to enlighten them upon anything.

Q. These published statements, then, contained the substance of the orders?—A. Yes, sir, in full.

Q. State the substance of what they were?—A. These orders were that we will not treat with any outside labor organization, but that we will treat with any of our own men, and take pleasure in hearing the grievances they may have at any time, and all times, and will treat with no outsiders. That has been published and covers every order I have received. We have received nothing outside of that order of Mr. Hoxie's, and that order, as I have stated, is covered by the publication.

Q. Would you take back a fireman if he was a Knight of Labor?—A. We make no distinction between the men. I have taken back switchmen and clerks. Firemen are not in my department.

Q. (By Mr. BUCHANAN.) Do you know the names of these men who attacked this boy Stevens?—A. I can get the names.

Q. Have they been arrested?—A. Two of them have been arrested.

Q. Are they under indictment?—A. Two of them are.

Q. How many men in the employ of the company struck here at Little Rock and in the vicinity?—A. About two hundred and fifty. One hundred and ninety-four in the shops, and taking in the yard and bridge and building department, about two hundred and fifty men.

ROBERT M. RICHARDSON sworn and examined.

By Mr. BUCHANAN:

Question. What position do you hold on the Iron Mountain Railroad?—Answer. I am master mechanic of the Arkansas division.

Q. How long have you held that position?—A. Over four years.

Q. Are you in charge of the shops here?—A. I am.

Q. Can you give me an idea of the amount of property belonging to the company that was injured at the shops during the strike?—A. Well, sir, during the strike forty-five engines were disabled by taking parts of the machinery away, and those parts had to be replaced by sending to a distance for them. It amounted to something like \$3,500—\$3,000 certain.

Q. The repairs did?—A. Yes, sir.

Q. What other injury to property was there?—A. Well, sir, the injury to the locomotives was about all that I could think of.

Q. How was that injury done?—A. By taking parts of the machinery away and other means.

Q. At what hour and on what day did the strike begin?—A. On the 6th of March at 10 o'clock.

Q. How much previous notice, if any, had you of the commencement of the strike?—A. We had no certain notice of it. I was fearful that something of the kind would occur from the indications of the men.

Q. Did any one of your employes inform you what they were to quit your employment for?—A. They did not.

Q. Did they leave in a hody?—A. The whistle was blown by some one, I think by the chairman, Mr. DeLay.

Q. Would you be the one who would receive notice of any party who desired to leave the employ of the company?—A. I would, or either of my foremen.

Q. To your knowledge was any such notice given by any of those men who struck?—A. I have never heard that there was any notice whatever. None was given to me.

Q. When they quit work what did they do?—A. They all washed up and left their places just as they would if it had been six o'clock in the evening.

Q. Did you hear any of them assign a reason for striking?—A. One of the committee, or the chairman, or leader of the Knights of Labor, came to me and told me they had quit and gone out on a strike upon an order.

Q. When did he come to you?—A. About fifteen minutes after the strike.

Q. What is his name?—A. J. L. DeLay.

Q. What reason did he assign?—A. He informed me that there was no grievance whatever at Baring Cross with the employés, and that they had no grievance in the shops where he worked.

Q. Is Baring Cross separate from Little Rock?—A. It is across the river.

Q. How far is it from Little Rock?—A. It is three-quarters of a mile. He told me that there was no grievance on this system, and that there was not any grievances whatever with any of the men in the shops.

Q. Has the company ever issued a notice discharging this whole body of employés in that shop?—A. No, sir; not to my knowledge.

Q. State whatever information you may have as to the strike in addition to what has been stated by the last witness, as we cannot go into the duplication of details.—A. Our engines were disabled on the second day. Mr. DeLay informed me that the passenger trains could run and that he had appointed men to do the work, but no freight trains could run.

Q. Please give me his words as nearly as you can recollect.—A. He came into my office and notified me that the men had gone out on a strike; that the passenger trains would be allowed to run, and that he had appointed men, or would do so, to see that the repairs were done to the engines used for passenger trains.

Q. Who had appointed him to take charge of the company's business?—A. I do not know. He had been in the employ of the company eight months. He was a machinist in the shop, having been there eight months. He was the man who came into the office and gave me this information, and he told me that freight trains would not be allowed to run. He then said he would appoint the men to take charge of the machinery necessary to run the passenger trains.

Q. Did he give any reasons for allowing the passenger trains to run and not allowing the freight trains to run?—A. He said it was the United States mail.

Q. Did he state that?—A. I think he stated that there would be no interruption of the United States mail. I am not positive about that.

Q. Is it generally known and understood throughout this section that the detention or obstruction of the United States mail is an offense punishable by the United States courts with imprisonment?—A. I presume it is. I have understood so.

Q. Well, go on.—A. For the first day we ran freight trains, and afterwards, about the night of the 8th, the engines were disabled by taking the set screws out of the eccentric, and they could not be used.

Mr. BUCHANAN. That will duplicate details.

The WITNESS. The men in the roundhouse were obstructed from doing their duty. They were told to go home; and men that I sent to work doing the necessary work to take care of freight trains, and anything we touched for freight traffic was obstructed by them. They would go the men and tell them to clear out.

Q. Who told these parties to go home, the officials of the road?—A. They were a number of Knights of Labor superintending this.

Q. Do you use the term that they were Knights of Labor knowing that they were such, or do you simply mean to say that they were strikers?—A. I knew that they were strikers and Knights of Labor, and so understood from the fact that they were men who at different times had come to me as Knights of Labor. Engines from the 8th up to the 15th or 16th were disabled at different times. Engines arriving at Baring Cross were run on the side-track and parts of the engines taken away, disabling them, and the water was let out of them so that they were entirely useless.

Q. Does each of your passenger trains carry mail?—A. Yes, sir.

Q. Were any of your passenger trains detained by reason of their action?—A. One of them was stopped on the 12th of March.

Q. That was the one referred to by the previous witness?—A. That was the one. They took charge of the engine and went down the road with it.

Q. In addition to the details that the last witness gave do you know anything con-

cerning that?—A. I knew nothing more than that the men ran off with the engine as referred to by him.

Q. Do you know anything in addition to his statement as to that matter, and is his statement substantially correct?—A. I desire to say his statements are about correct.

Q. Is there any additional matter that has not been testified to that you can add?—A. The material that was taken from these engines was never returned. Outside of that, the men were driven away from the engines and when placed on them were stoned by parties.

Q. As master mechanic, did complaints of the men that were thus driven away from their posts of duty come to you?—A. Yes, sir; they would report to me.

Q. State whether that was repeated often or merely one or two assaults.—A. It was done several times. A new hostler came to my house and told me of it. I had left an engine there, and there was an engine to arrive from the North, and I put this man on the engine to take care of it, and left there about dark myself. About 10 o'clock one of the hostlers came there to my house and told me that they were stoned by parties they could not see, and driven away from the engine, and that the engine was no doubt disabled. I found that to be the case in the morning.

Q. What other cases of intimidation or violence came to your knowledge?—A. The men that were hired to take the place of the strikers have been intimidated several times in going to or from the shops, and in crossing the bridge there were parties who interfered with them.

Q. About how frequently did these complaints come to you?—A. Every day; sometimes half a dozen times a day.

Q. Have any notices come to your possession, given you by the men?—A. Yes, sir; given to me by name and to the men also. Here is one:

EXECUTIVE ROOMS OF L. A. 3646, KNIGHTS OF LABOR,
Little Rock, April 19th, 1886.

MR. PREIBEL:

DEAR SIR: You are respectfully requested to cease working on any railroads operated by the Missouri Pacific system during the present strike in this system, by orders of D. A. 101, Knights of Labor.

By order of Local Executive Board L. A. 3646.

With the seal of the order attached.

Q. Who is that gentleman to whom this is directed?—A. He was a machinist working in the shop.

Q. Was that handed to you by him?—A. Yes, sir.

Q. Was he a new employé?—A. He was an old employé. He was out for about four weeks and then returned.

Q. I find among these letters handed me this notice:

"To R. M. RICHARDSON,

"M. M., I. M. Shops:

"Beware who you hire, for at a meeting of our lodge of K. of L. we were instructed to as many of us could possible get employment to do so, and find all the chances to your weak points, to burn the shops, to poison the water, and even dynamite was recommended. I will leave rather than join in with such diabolical schemes; but it is to be done, so I again repeat, beware of K. of L. If one hires he is bound to report, and act accordingly.

"Yours,

"K. of L., but not in such schemes."

Did you receive that in due course of mail?—A. Yes, sir; there is the envelope (it is addressed R. M. Richardson, M. M., I. M. R. R. Shops, Little Rock, stamped with a 2-cent stamp, and postmarked Little Rock, May 10, 12 m., 1886).

Q. And it is postmarked?—A. Little Rock, May 12.

Q. You know nothing about the truth of the statement; you simply produce it as an instance of these difficulties, and you have no knowledge by whom it is written?—A. I have no knowledge about it. I received it through the mail.

MR. BUCHANAN. You also produce another, on the official letter-head of the Missouri Pacific system, headed by what seems to be intended as a representation of a skull and cross-bones, and it reads as follows:

"LITTLE ROCK STATION, April 30, 1886.

"DEAR SIR: Being a friend to you and not wishing to see you get hurt, I would advise you to quit the Iron Mountain shops, and at once.

"From one who knows and wishes you well.

"MR. LINCH."

Q. Who is Mr. Lynch?—A. A man who worked in the car department.

Q. He worked up to what time?—A. He is a man who was hired since the strike. Several more letters of the same kind, with skull and cross-bones across them, have been received.

Q. What do you know about that one?—A. That was handed to my foreman by the man who received it at his home.

Q. You have no knowledge of who wrote this, nor as to whether Mr. Lynch was in any danger?—A. No, sir; in no more danger than others who were at work.

Q. Were these the only instances, or are these samples of the general course?—A. I may say that there are hundreds of them written. I have seen a dozen, or fifteen, or eighteen of a similar character. A good many of the men do not wish to give them up. One of them says he would not give his up for a hundred dollars.

Q. You spoke of De Lay being in the employ of the company about eight months. Where did he come from?—A. I cannot say, but I understood he came from Texas.

Q. Is that the Mr. De Lay whose name has been mentioned in Saint Louis lately as being prominent there in the investigation of this trouble?—A. That, sir, I believe is the same man.

Q. How long had the strikers left your shops; was it before or after the guards were put in there by yourselves?—A. It was somewhere about the 15th or 16th, I think, when they took possession of the shop and did away with these Knights of Labor men.

Q. How long was it after the strike that Knights of Labor or strikers took possession?—A. The same day as the strike.

Q. The same men which quit work were on guard. Did you see them?—A. I did.

Q. Did you recognize employes who had quit work?—A. They were all employes.

Q. Were they armed?—A. Part of them were, to my certain knowledge.

Q. Did you converse with them?—A. I did.

Q. What did they state was the object of their being there?—A. They said that they were taking possession of the company's property, and were to see that it was not injured.

Q. How long did they remain?—A. About 15 or 16 days.

Q. Then, if that was their object, to protect the property of the company, they failed to accomplish their object?—A. Yes, sir; we asked them what they had seen done when these twenty-four engines were disabled in one night and they told me they did not know anything about it. They did not see it done.

Q. How many of them were there on guard?—A. I do not remember. I think it was three or four deputy sheriffs at night and probably the same number in the daytime, but the exact number I do not know.

Q. Did any of those guards at any time they were in charge of the shops report to you any single instance where property had been injured, or did they leave you to ascertain it yourselves?—A. They left me to learn it from my own observation or other sources.

Q. In what respect did these guards prove to be of any use to the company by way of protecting its property?—A. They did not prove to be any protection at all; on the other hand, I think they were either the persons who did this damage, or that it was done while they were there, and that if they had been appointed to take care of the property, they would have taken care of it; and I have always been of the opinion they knew when it was done.

Q. Have you refused work to any fireman because he was a Knight of Labor?—A. No, sir; I do not know that I have.

Q. Have you in any instance alleged that as a cause for refusal?—A. No, sir; I do not know that I have. I have refused men employment for intimidation and inducing others to leave the company's employ, and not to work for the company.

Q. I am requested to ask you whether your men that you now have are as competent as your old men?—A. I have got just as good men as work in any shop in the country; competent to build an engine.

Q. Have you ever told men that they were wasting their time and that they were idle?—A. I have told them that we had better men and that the company intended to do business. I have told them the best thing they could do was to find something else to do.

Q. Have any of those men who acted as guards applied to you for re-employment?—A. Yes, sir.

Q. Have you taken any of them back?—A. I have not.

Q. Have any men who were suspected by you of injuring the company's property applied to you for work?—A. Men who were found on the engines have applied to me for employment.

Q. Did you take them back?—A. No, sir.

Q. Is it your intention to take them back?—A. I would not employ these men.

Q. How many men who were found on the stolen engine have applied for re-employment?—A. I think there have been three, maybe not more than two, probably two, that have applied.

Q. Have you hired any men since the strike was declared off?—A. Some I have; one or two, and probably three. I have hired a wiper.

Q. In the hiring of men do you discriminate against members of any organization?—A. No, sir.

Q. Do you discriminate against men who were engaged in acts of violence or injury to the property of the company?—A. Yes, sir.

Q. Is there any other discrimination exercised by you?—A. I do not know of any.

Q. Have you all the competent men that you need?—A. I have all the competent men I need.

Q. You mean machinists? You mean the men employed on the lathe or at the vice?—A. There are fifteen or sixteen machinists. I have, including all, about twenty-five or twenty-seven men working on engines; that is not taking in the other shops. I may say I have got thirty.

Q. And how does this number compare with the number employed previous to the strike?—A. Probably I have now 67 per cent. of what we had before the strike.

Q. What as to the remaining 33 per cent.?—A. It is not necessary to do the work we have to do, and we can get along very well without it.

Q. Do you ever receive a committee on grievances from firemen or engineers when they presented grievances, or did you refuse action upon them?—A. I have had men who were engineers and firemen come in and talk their matters over once in a while.

Q. Are you the officer to whom they would present grievances?—A. Yes, sir.

Q. Do they ever appear as a committee with their grievances?—A. Employés come in, one, two, or three, and talk to me.

Q. To present their grievances, or the grievances of their fellow employés?—A. To present his grievance.

Q. Anything of their fellow-workmen?—A. Well, there may be times when I have received them when they would state that they were talking about others; they might be grievances, or matters which might be considered so.

Q. Have you received any such that were not your own employés?—A. No, sir; I never have, to my knowledge.

Q. Would you decline to receive such a committee of Knights of Labor that might appear for the purpose of presenting the grievances of their fellows?—A. No, sir; I do not know on what grounds I could receive them if they were presented by Knights of Labor.

Q. But suppose they were employés; what objection would you have to receive them?—A. I never have had any such fact. I do not know that I would receive them at this time. I never had a committee of Knights of Labor wait on me in my official capacity.

Q. But what objection could there be to receiving them to present a grievance?—A. Well, we receive our employés; if anybody has a grievance we receive them at any time, but it is and has been a rule for a long time not to receive committees as general things, although I have never had a committee to wait on me.

Q. To instruct you as to what action you should take?—A. I never have had a committee.

Q. Have you held such conference with the firemen or engineers since this strike began?—A. There might have been; I did not know that it was a regular committee. They did not say that they were a committee that I remember of. I have had a conference with engineers and firemen.

Q. Do I understand you to say that they did not report themselves to you as a committee?—A. Well, I do not remember now that they did, and it might have been considered so. I do not remember that they reported to me that way.

Q. What do you know of the wages of these employés on this road being reduced in October, 1884?—A. There was a reduction in 1884, I think, of employés' wages. I do not remember the date here.

Q. Do you know anything of the reduction of James Yates's wages from \$1.75 to \$1.60?—A. No, sir.

Q. Were boiler-makers' wages restored at Baring Cross under the agreement of March, 1885?—A. There was a foreman whose wages were reduced and restored. Exactly on whose order it was I do not remember.

Q. Has any grievance of any boiler-maker at Baring Cross been presented to you at any time since March, 1885, as to not having had his wages restored?—A. No, sir; there has not by any man. The wages of all men were restored.

Q. Do you know a fireman named Hillman?—A. I do.

Q. Do you know that he has ever intimidated any fireman from working?—A. That is in my information, which I consider reliable. He was in the hospital, and never reported until the strike was on.

Q. You say that is your information; from what source was that derived?—A. From men who were, I thought, in a position to know, and that they had very good reasons; from parties in the employ of the company, as well as others. Well, he told me himself that he had induced men not to go to work.

Q. When was it he stated that to you?—A. It was in my office about three weeks ago.

Q. He made the statement to you that he had endeavored to persuade others to quit?—A. I asked him if he had done that, and he said he had not done so generally, but in one or two cases.

Q. Did he speak of the cases?—A. Well, he did not give the names, as I remember.

Q. Did you ever receive a complaint of Frank Coussens, a car repairer, about the reduction of his pay?—A. I do not remember that I ever did.

Q. Give us your best recollection as to that?—A. Well, I do not remember that I ever did. I cannot call it to memory that his pay was reduced or that I received any communication about it; I am quite positive that I did not.

Q. Did not some Knights come to you about that? Did Grey, a hostler, and Mack Redding continue working on the engine by order of the Knights?—A. No, sir; they did stay and do their work under the committee.

Q. Did they stay under your orders?—A. They would not obey my orders; they would not touch freight engines, and insisted that freight engines should not leave the place, and I sent them home.

Q. Then if they continued at their work they did not continue as the company's employees?—A. They did not do any work for the company.

Q. They disobeyed your orders?—A. Yes, sir.

Q. And got their orders from whom?—A. From Mr. De Lay. I understand he was the man who told them what to do. Mr. Redding, that you speak of, jumped on the engine and took charge of it and run it out of the house.

Q. On your order?—A. No, sir; on the orders of Mr. De Lay.

Q. And against your orders?—A. I had given no orders, and I was not consulted.

Q. If either of these men continued there at work did they continue there under the direction and control of the company's officials?—A. Well, sir, there was no objection to their doing this work on passenger engines, and they staid there and were finally paid by the company; but the orders of what they were not to do came from the leading members of the Knights of Labor.

Q. Did you give them orders as to their work in regard to caring for passenger engines?—A. I did.

Q. They did care for the passenger engines?—A. Yes, sir.

Q. And as to freight engines, they refused your orders, obeying the orders of some one else?—A. Yes, sir; they did not do any work on freight engines.

Q. Are they now in the company's employ?—A. They are not.

Q. How many men were there employed at Baring Cross when Mr. Hoxie took charge of the road and how many when the first strike was ordered?—A. Well, sir, I do not remember how many men were there when Mr. Hoxie took charge; I have not thought of that; I could go to the books as far as we have them. I will say that there are more men now than there were when Mr. Hoxie took charge.

Q. Were there less or more men employed there at the time of the strike than at the time Mr. Hoxie took charge?—A. More men.

Q. Then there has been an increase under Mr. Hoxie?—A. Yes, sir; there has been an increase; that is my recollection.

Q. (By the CHAIRMAN.) Was it a fact that there was a decrease of hours of labor and an increase of men?—A. Well, in the winter time we worked nine hours, and there have been times occasionally when there was a decrease that amounted to one or two; but my recollection is that there are more men.

Q. Is it not a fact that there was a decrease of hours of labor per day and an increase of men necessarily?—A. No, sir; that is not my understanding of it; I do not know of any regulation of that kind.

Q. (By Mr. BUCHANAN.) Was not that engine you spoke about Redding taking the one that was fired to take the passenger train on March 12 and that was stolen?—A. No, sir; it was not fired up for that purpose; it was fired up to take the United States marshal and deputy sheriffs down the road to try to get trains that had been stolen. It was a regular passenger engine.

Q. Do you know how wages compare for skilled and unskilled labor for 1882 and 1886?—A. Well, I do not think there is much difference in them; maybe there is as to some. We have in many cases, where a man is a capable man, increased his wages; we have probably fifty or sixty cases of that kind where men's wages were increased 25 and 30 cents, according to circumstances.

HAMM O. WILLIAMS sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. I live in Little Rock.

Q. How long have you lived here?—A. I have lived here since November 1, 1879.

Q. Did you in the month of April last act as a deputy sheriff?—A. Last April? Yes, sir.

Q. Were you a regular deputy sheriff or were you a special deputy sheriff?—A. I was appointed a deputy sheriff last June, in 1885. I never was a regular deputy.

Q. You were appointed for special action, but given an appointment that continued, so that you were a regular deputy sheriff during the month of April, 1886?—A. Yes, sir.

Q. You were at the Baring Cross shops during that month?—A. Yes, sir; I was there until the morning of the 9th of April.

Q. Had you charge of a posse of men there?—A. I had 20, 17, and 21; and at one time I had from 10 to 12 men there.

Q. Were you there on the 8th of April?—A. Yes, sir.

Q. How long had you been there?—A. I went there in the morning.

Q. And remained until when?—A. Until day, sir.

Q. Until what time?—A. Until the morning of the 9th of April.

Q. Were you and your posse attacked upon April 8?—A. Yes, sir; on the 9th, between 12 and 1 o'clock.

Q. Do you know how many men you had when the attack was made?—A. About twenty.

Q. Where were they distributed?—A. In different places around—in the roundhouse and the coaling-yard and other property of the company.

Q. You may describe the commencement of the disturbance and go and give the occurrences as they took place.—A. On the night of the 8th, between 12 and 1 o'clock, I was sitting in the office of the bridge and building department on the grounds. We had occupied that as a sort of headquarters. It had a telephone. I had to have some place to keep my arms and ammunition, and they turned it over to me and I occupied it for this purpose. I was in there, and one of my assistants, Mr. Slick, who was stationed at the south end, came and told me a gentleman out there wished to see me; that he had stopped him out there. I went out and down with Mr. Featherill and Mr. Clark, who was another deputy. The man said "they would like to see me," and I said who, and he said, "Step over this way a little further." I looked out that way and saw five or six men in the dark. I remarked, "I am not in the habit of coming; suppose you step this way;" and he obeyed my request and went with me 40 or 50 feet from the two deputies that were on guard, and about 50 or 60 feet from this crowd. Then I said to him, "What is it you want?" And he replied, "I want you to take your men and yourself and get off these premises." I said, "What for?" He said, "We have a crowd of men that want to go into this roundhouse and shops, and we have a little work to do there." I just reached out my hand and grabbed him by the collar and said I would take him in and that would make one less, and I brought him up to the bridge and building office and put a guard over him and told the guard I wanted him to take care of that man.

Q. Who was he?—A. Mr. Wellington.

Q. Did he belong to the strikers?—A. Not that I know of.

Q. You do not mean that he is an employé of the company?—A. I think he is.

Q. Not the guard, but the man you took into custody?—A. That I took in? He had been, I understand, an employé of the road; his name is Darby. Understand, I put him in charge of Mr. Wellington and left him in that office. Just as I started off with him I left Mr. Featherill and Mr. Clark right at this south end, and told them to be sure and not let that crowd of men come any nearer to them. But after I got into the office and put Mr. Wellington over this man I heard them coming. I ran out of the office, and Mr. Slick, a deputy sheriff who generally was with me, was with me. There was an engine standing right in the middle of the track. He took the right-hand side of the engine and I ran to the roundhouse side, and when I got around there there was a big crowd of men, I suppose seventy-five men, and I could see my two guards that they had captured at the other end. They were scattered out for 30 or 40 or 50 feet. The headlight was shining on the crowd and I called to them to stop and told them to get off the premises; that the property was in my charge, and that they could not go in there, and that I would die in my tracks before they should go. And the answer they gave me was, "Die you son of a —. Kill him, kill him," and they commenced shooting. I thought I would not lag behind, and I commenced firing away, and there was a right lively time.

Q. But the shooting was commenced by the attacking party?—A. They shot at me before I raised a gun. However, it was very interesting for ten or fifteen seconds; but

eventually I got them turned and they all went their way. I found I had been hit just about the belly. One ball hit me in the belly, and I had got also hit in the back; and I got on the track of the man that shot me in the back; I was trying to get to him but was too weak. That was about all that occurred. The strikers ran off and I began to feel my wounds.

Q. How many wounds did you receive?—A. Two; one here in the abdomen, and I was shot in the back with a load of squirrel-shot. There are twenty-six or twenty-seven of them in my back.

Q. Then you received two charges?—A. Yes, sir; a pistol shot in my abdomen and the squirrel-shot in the back.

Q. Did they then leave the ground?—A. I never saw any more of them. I staid there a few moments and went over to the office and got one of the men to telegraph to Mr. Worthen and also to a physician.

Q. Were you confined to your bed from that bullet wound?—A. I never got up until last Tuesday week; that was yesterday a week ago.

Q. Were any of your men injured?—A. No.

Q. Were there any injured on the other side that you know of?—A. I do not know whether there was or not. I can only state that the last shot fired in the mêlée I fired. A man was approaching me, and I turned my pistol on him and fired, and he came on and fell almost at my feet, and said, "Oh, Lordy! Lordy! Oh!" That was the last I saw of him. When I got there afterwards he had been moved. I got on the track of the fellow that shot me in the back, and went a little way, and I concluded to sit down on the tie, as I could catch no one; and I sat down on a tie there, and while I was sitting there I saw one of my men trying to get up in that way, and he came to me and I told him I was hurt and I would like to go over to the telegraph office, and I said, "There is a man pretty badly hurt here, and you had better go and try to get him off the track;" that he might be run over by the engine they were using. And I went on down to the office, and I understand the man was never seen afterwards by any of the deputies on guard; and so I do not know whether he was hurt much or not. I thought he was killed there when he fell; he was right close to me when I shot him.

Q. Who was the leader of that gang—the attacking party?—A. I do not know, except it was Mr. Darby, the gentleman who asked me to get off the premises.

Q. What do you know of his being connected with the Knights of Labor?—A. I do not know, except by what I have heard.

Q. Have you ever heard of his being a Knight of Labor, or that he was a member of the order?—A. My information is from the newspaper.

Q. Has any one connected with the attack described been arrested except Darby?—A. Not that I know of.

Q. Was your appointment as deputy sheriff confirmed by the circuit courts?—A. I do not know.

Q. Did you understand that there was any need of its being confirmed, you having had a regular appointment?—A. I did not.

Q. Do you know whether you were or not confirmed by the circuit court?—A. I do not know. I asked Mr. Worthen if it was necessary to have a new appointment.

Q. Did you search Mr. Darby?—A. Yes, sir.

Q. Was he armed?—A. He was not. I do not know whether I got a penknife off him or not. But he had no gun or pistol.

Q. Was there any deputy sheriff in your posse whose appointment as such deputy had been confirmed by the order of the circuit court to your knowledge?—A. Not that I know of.

Q. Was there any regular deputy sheriff, if you were not one, in the party?—A. Mr. Gardenham and Mr. Featherill had been working around the sheriff's office so much that I imagined they were regular deputy sheriffs; but I have no personal knowledge that they were.

Q. (By the CHAIRMAN.) You were told by the sheriff to go and take charge of this property, were you not, and given charge of these men?—A. Yes, sir; and he gave me my instructions.

ROBERT WORTHEN sworn and examined.

By the CHAIRMAN:

Question. What official position do you hold?—Answer. I am sheriff of Pulaski County, Arkansas, and have been since about the 1st of November, 1884.

Q. Have you heard the testimony of these witnesses in regard to what occurred in connection with the strike, the first witness, Mr. Wheedon, and Mr. Williams?—A. I heard part of Mr. Wheedon's testimony, and I heard Mr. Richardson, and also Mr. Williams.

Q. State what you know about the disturbances that took place here during the strike in your county?—A. Well, there were several disturbances at different times; I believe

the last of them I was personally present. The first disturbance was occasioned by running an engine out of the shops and out of the yard near the shops; that happened after a freight train had been sent out.

Q. You appointed eight members of an organization known as Knights of Labor as deputy sheriffs, did you not?—A. I believe that came about in this way: On the day of the strike, I think it was that day, there was a man came to my office, it seems to me about 12 o'clock, and possibly a little earlier or later, and said that there was a strike on the Gould system on that day, and that they had all quit work at 10 o'clock that day (they were a committee of Knights of Labor, I believe, that is my understanding), and they thought that there would be all kinds of loss and destruction of property; they said that a great deal of it would be charged up to the Knights of Labor when they were not responsible for it, and they asked that I should deputize a party for the purpose of protecting the property, to prevent any of it being damaged. I thought that was a very good scheme, and as they did not propose to charge anything for it, and that the property would be protected, I complimented them on it rather, and fixed up commissions and authorized them to act as deputy sheriffs during this strike. Well, next night I heard some of the railroad party, I do not know who, but I think it was the superintendent, came down and said he thought that was an old practice of theirs, and that he wished I had not done so. I instructed these men they were no longer Knights of Labor, and I would hold them responsible; that they should lay aside everything and obey the officers, while they were there. I had had no experience with strikes, and I soon found that the engines were disabled and other property taken away, stolen I called it.

Q. That they had under their protection?—A. Yes, sir. I did not suppose any one belonging to the road would do it, and did not think they would do so when they had taken charge.

Q. Had you any idea that they were taking general possession of the property of the railroad?—A. Yes; that was my idea, but the railroad people came to me and complained of Mr. De Lay. I found he was a head man of the organization. I looked for him and told him I did not like that way of doing; that I wanted this property protected; that I had appointed them as a matter of honor and respect to him; that they ought to return this property, and then if they could steal it it was all right. He objected to that. He did not think it was stealing; but said these things would be returned; it was all where it could be got at. He left me under the impression that it would all be returned, and done at the expense of the Knights of Labor when the matter was settled. I told him that it would not do to be in charge and yet to take that action; and I made a demand from time to time for them to return the property. As it was getting worse and worse I went over there, possibly it may have been on the 1st or 2d, and put some men of my own in charge. You see the shops cover quite an amount of ground, and seven men cannot guard it completely. I have since learned that a great many of the things were taken off prior to the strike; I have heard so at any rate.

Q. Why did you take that property in charge?—A. Because I did not intend that they should act as deputy sheriffs any longer.

Q. Why did you not intend to have them as deputy sheriffs any longer; why did you lose your confidence in them?—A. Because of the acts and deeds that had been done—the disabling of engines that had been carried on while they were in charge as my deputies.

Q. You say that seven men could not protect the property of the company there?—A. Seven could not guard it in the day with perfect safety, as men could slip in there and disable an engine in a very few minutes.

Q. Do you intend to leave the impression on the committee that you thought that there was no necessity at first for the appointment of deputies?—A. Oh, yes; I told them that I did not suppose that there would be any protection necessary, and I supposed that I would have the moral support of the Knights of Labor, and that by that means property would be easily protected. I supposed that the Knights of Labor through their organization had ordered this committee to come to me, and that they did not intend to take any property and destroy it, but that this organization would just watch it.

Q. I suppose you were looking to the moral support of the organization?—A. Yes, sir; I was looking to their moral support rather than expecting that a few men could protect the property.

Q. Did you come to the conclusion that the Knights of Labor were not giving you their moral support?—A. I came to the conclusion that they had not been guarding the property.

Q. Do you know of your own knowledge of any stoppages of freight trains or forcible seizure of the company's property or intimidation of employes?—A. I was just trying to think if I was personally present when any acts of violence were done. I do not remember of any now.

Q. Were you present at any of those acts?—A. I was present when we started a freight train afterwards and some man was trying to get on the engine. I believe there was one instance, and I could not get at the man with my hands, but pushed him off with my feet and followed him about three or four steps with my feet.

Q. Did you make any arrests at Baring Cross?—A. My deputy, Mr. Williams, arrested Mr. Darby.

Q. I am speaking of you.—A. None that night. I was not there myself. I arrested three men that night coming over. Two of them were armed.

Q. Who were they?—A. Well, they were men named Cook, McAllister, and another named Schoepf.

Q. Did they belong to any labor organization?—A. Well, I do not know. I understood that from the outside. I am not positive.

Q. Did they tell you that they were members of the Knights of Labor; I presume you are not a member yourself?—A. I do not know personally who is a member. Mr. Darby I supposed to be a member, because he appears to be some officer in it, and came to me and had a conversation with me prior to this shooting scrape.

Q. Did you object to his wanting members, of Knights of Labor appointed special deputies?—A. I do not know. I never paid any attention to them. Some of them may have been trying to spy upon their action. I had no idea of having any attack made upon the shop or any of my men.

Q. On the night of April 8, when Ham. M. Williams was shot, did or did not the Knights of Labor Assembly in Argenta have a meeting, and were they addressed by one Trevelick, a Knight of Labor, a traveling orator for the organization?—A. That was the information brought to me that day, and to make my preparations accordingly.

Q. What information was conveyed to you, by whom conveyed, and what steps did you take, if any?—A. The governor sent for me and said he understood that this man was going to give a lecture, and that they did not know what sort of a lecture it would be. If it was something to excite the people to acts of violence he wanted me to take steps to protect the property and to keep anything of that sort down. I had a lot of extra men summoned that night and had them kept in the State house. I do not remember whether that was the night that Hamm M. Williams was shot or not. I made my preparations so that if Mr. Trevelick came here to make incendiary speeches I was going to stop it. I did not intend to let it be done, and I expected to be backed up by the governor if it was necessary.

Q. What took place?—A. I never even went to the speaking. I understood beforehand that there would be nothing of that sort. I have a number of Knights of Labor acquaintances with whom I conversed, and I learned from them that there would be nothing of the sort. I never even went to the opera house. I went in company with one of the law and order stripe of the Knights of Labor, and I did not expect that there would be anything to need any extraordinary exertion, and as I had been up two or three nights before I went home.

Q. Did he make a speech?—A. He made a speech in Little Rock and afterwards made a speech at Argenta.

Q. Did he make a speech there?—A. I understood he did.

Q. Do you know at what hour the assembly adjourned prior to the attack made on the shops?—A. I do not know. I do not know whether that was the night of the 8th that they had this meeting in Argenta or not.

Q. Were you compelled to employ an extraordinary force of deputies during the pendency of this strike; if so, how many?—A. They went all the way from five to fifty.

Q. What is your ordinary force?—A. I have five or six men in my employ, probably eight or nine of them, and keep in the jail four regular men and other men in the different parts of the county.

Q. What increase of force did you make?—A. I doubled it, and sometimes had a many as fifty.

Q. Did you deem it necessary for the preservation of law and order?—A. I deemed it necessary to keep twelve or fifteen men.

Q. Was this witness, Hamm O. Williams, one of your ordinary deputies?—A. Yes, sir, and had been since last summer.

Q. He was appointed under the laws of Arkansas provided for such cases?—A. Well, yes, I told him to go into the county court and have his appointment approved. I gave it him for the purpose of collecting the delinquent taxes.

Q. Was he a regular acting deputy of yours when he was guarding the shops?—A. Yes, sir; he had complete charge of this thing, and was specially deputized to let no man go into these shops. He had complete charge of them.

Q. What amount of property was there belonging to the railroad that these men over at Baring Cross were to guard, and were you also to guard the depot at Little Rock?—A. Well, the amount of property that I expected these men to guard was very large,

but I did not expect them to be able to protect all the property over there, as it is over a mile long.

Q. Did you intend them to guard all that property?—A. As I told you before, these seven men were put over the roundhouse to protect the property there from destruction, for that would be the place if there was to be any damage done. They said that that was the property that they wanted to guard; and when I appointed them as deputy sheriffs I did not suppose that those men could guard and protect that amount of property unless they had the moral support of the Knights of Labor.

Q. Was Schoepf indicted and tried for anything in connection with that night's proceedings, and, if so, upon what offense?—A. He is indicted, and gave bond. I do not remember what it is for.

Q. Has he been held for carrying weapons?—A. That is what it is for. He had a double-barreled gun, and he could not account fully for his actions. It was thought he was there for devilment.

Q. Where was he coming from when you arrested him?—A. From the other side of the river, right after the attack on the shops.

Q. Was that the night of the shooting that Williams testified about?—A. Yes, sir.

Q. You arrested him coming from that direction, did you?—A. I met him coming over the bridge. I was told before I got there that some fellows were waiting for me on the bridge, and I went prepared and met these three men.

Q. Has either McAllister or Cook been indicted or tried for any offense; if so, for what?—A. McAllister, I believe, is indicted for carrying weapons, and has given bond.

Q. When you arrested him did you search him to see if he had a pistol?—A. I did not there, but did find it after we got to the jail.

Q. Do you know whether his pistol had been discharged or not?—A. I do not know. I did not see that.

Q. This shotgun affair, do you know about it yourself?—A. Yes, sir.

Q. Was the shooting of Hamm Williams before Trevelick's lecture at the opera house?—A. I do not know whether that lecture was that night or not. I am under the impression that it was not that night; and at any rate I was under the impression that Trevelick's lecture was not going on at any time before I took the precautions that were thought necessary.

Q. (By Mr. BUCHANAN). During the time that this guard of seven were in possession of the company's property did any of them report to you any injury done to the property?—A. I do not remember that they did. It is possible I might have gone over there and been told that it was done.

Q. You received your information as to these injuries to the property from sources outside of them?—A. It is my understanding of it that I went immediately and got it direct from them.

Q. But you had learned of it before you went there; and when you stated to them that it had been done, what reply did you get?—A. Why, I remember a part of one reply, "that it was no larceny at all." They replied to the question as to whether they had allowed larceny to be committed that it was no larceny, that these things would be returned and made good by the Knights of Labor. They excused themselves and said that a man could slip in and disable an engine, and that there were so few of them that they would not know it.

Q. Who paid these deputies?—A. They were paid at first by me, and afterwards all the money, or part of the money, was refunded by the railroad. They were all paid with my money at the time.

Q. Then eventually the railroad paid these seven men?—A. No. These men were never paid. They volunteered to work, and they did not ask anything.

Q. The work and the wages were about equal?—A. I thought the wages were too high.

Q. Was De Lay one of the guards?—A. Yes, sir; but he surrendered his commission the first day, and said that he could not act as sheriff under the circumstances.

THOMAS ESSEX sworn and examined.

By Mr. BUCHANAN:

Question. What position do you hold on the Iron Mountain road?—A. I am land commissioner in charge of the lands in Arkansas.

Q. It has been stated to the committee that numerous instances have occurred in which the employes purchased land of the company and made payments thereon, and before the payments were completed the employes were discharged and prevented thereby from completing payment, and were compelled to surrender their lands or lots and the amounts already paid. Please state what information you have upon that subject.—A. I have no information whatever upon it. I have never heard of such a case.

No such complaint has ever been made to me as head of the land department, and I have never heard of such a case.

Q. If such statements have been made by employes of the road are they true or false?—A. So far as I know they are false.

Q. To what extent would you necessarily have knowledge?—A. Well, I would presume that if a case of that kind should occur, being head of the land department, the party that was aggrieved would certainly communicate with me in regard to his contract for his land. I have never received any such communication, either verbal or written, and had never heard of any such complaint whatever.

Q. Stating the case a little less broadly than the statement made to the committee, will you inform us whether or not to your knowledge instances have arisen where land sold by the company to any of its employes has been forfeited to the company after any payment made thereon without reference to the last payment?—A. Not to my knowledge. I never had any such case submitted to me, and never heard of any such claim being made.

Q. Do you deliver deeds for the property at the time the first payment is made, or at the time of the last payment, or at what period of time?—A. At the time of the last payment, unless it is a cash purchase. If it is a cash purchase, then the deed is made out at the time of the transaction; if a time purchase, there is a contract.

Q. In the case of a purchase of land by any of your employes, and the payment of some installments, and failure to pay the remaining installments, to what process, if any, is the company compelled to resort to regain title to the land?—A. All the lands are sold—in the first place, the company does not handle the funds of the land department at all. All the lands of the company are under mortgage, and the trustee under that mortgage is the Union Trust Company, of New York. All the funds coming from the land department are sent up direct to the Union Trust Company, at New York. All the notes drawn, payable for deferred payments, are drawn payable to the Union Trust Company, so that the funds from the lands do not go into the treasury of the company at all, but go straight to the Union Trust Company. If a man enters into a contract, be he employe or other party, and he goes ahead and pays out that contract, then the deed is made to him. If he fails, if his note becomes due, I send him a month's notice that the note is falling due the first of the coming month or the middle of the month. If the note is not paid I send him another notice that his note was payable at such and such a date, and remains unpaid; and then, if he does not pay it, and it runs along and keeps off several years, then I send him notice of that fact, stating that his notes are unpaid, and requesting him to correspond with me in regard to it. My practice is, especially with employes, to write to them, and if they show extenuating circumstances why the note has not been paid, and I am satisfied they are acting in good faith, and trying to pay the contract, I extend the time; but if after all that it is not paid, then the contract is declared forfeited.

Q. And then what occurs?—A. Then the possession is resumed. I may state to the committee that we have had a number of employes who purchased lands, and I never had a complaint of that kind from any one of them. As a general rule the employes who have bought land or lots in town—and most of the purchases by employes are of town lots—have paid out the contract; and, so far as my observation has gone, the employes along the line of the railroad who save up their wages and get a piece of land or a lot so as to get them a home there, have generally paid out their contracts. That has been my observation; I have never had any complaints of that kind.

Q. On what terms are those lands sold or bargained to be sold?—A. Well, we have various terms; we have terms that we have made so as to induce immigrants to come into the State.

Q. I refer to your employes.—A. They are sold upon terms generally of one-third down and the balance in six, twelve, and eighteen months, at 6 per cent. interest. These are the usual terms. We have numbers of cases in which employes have asked me to depart from these terms and give them more liberal terms, and I have numbers of instances in which I have granted it, as far as my discretion went. I have let the employes have land and lots at a less figure than I hold them to parties outside.

Q. Is it the policy of the company or not to secure the services of employes who have homes of their own?—A. That has been my understanding.

Q. Do you know of any instance of an employe who had purchased lands and was deprived of making his subsequent payments by reason of being discharged from the company, and the lands therefore reverted to the company?—A. No, sir; I have not.

Q. (By Mr. PARKER.) What is the forfeiture condition contained in the contract?—A. It is simply that the land reverts to the company.

Q. Upon failure to pay?—A. Yes, sir.

Q. And is there any time given beyond the date of payment stated in the contract?—A. I have stated what my practice was in regard to that. We do give time.

Q. How does the contract provide that you resume possession? Without legal proceeding?—A. Yes, sir.

Q. Or have you in your law power to resume possession without legal proceedings?—A. That is the way I understand it; that is the practice.

Q. You understand that you have power to remove a man without foreclosure of his equity of redemption?—A. Yes, sir.

Q. What is the agreement as to a contractee who makes improvements? Has the contractee the right to sell his contract and improvements?—A. Well, I do not think there is anything in the contract stated in regard to that.

Q. Then he has the right, I presume?—A. There are numerous cases that have arisen where parties came forward and transferred the former note and former contract. We have done that frequently. In any such case the company would not take advantage of the man. They would allow the party to hold the former contract and get the benefit of the improvements he made.

Q. Has the contractee the right, without regard to the company, to sell his contract to another party?—A. That is provided for in the contract and blank form for assignment.

Q. But does that assignment, to become effective, require the approval or sanction of the company?—A. It requires that it shall be sent to the Land Office and approved by me. That is done so that we may have it upon our record.

Q. There are strikers now out, as you understand, who hold contracts with the company?—A. No, sir; I do not know that.

Q. Do you not know that to be the fact?—A. It may, possibly, be the fact.

Q. Is it not probable that there are now men in the class that are called strikers that have lands contracted to them by the company?—A. It may be possible, but I do not think it probable.

Q. Suppose there are such cases, will they be required to lose their payments and improvements that have been put upon the land, or will they be allowed to transfer the property?—A. They could transfer their contract, and if there should be a difference in the value of the property from the date of the contract they would get the benefit of that difference.

Q. But I was specially referring to those who may be required to leave this locality on account of this strike. Will there be any objection to any such parties getting the benefit of their improvements and payments?—A. No, sir.

Q. About how much land have you remaining in this State unsold and not contracted for?—A. About 900,000 acres.

Q. Do you make efforts to encourage immigration from abroad to get these lands settled?—A. Oh, yes.

Q. Was that land granted by the State?—A. No, sir; it is a Congressional grant. It is the old Cairo and Fulton grant.

Q. Is it not a result of this policy that there is a surplus of labor in this part of the country?—A. Well, I do not think that it has had that effect materially in this State.

Q. You think it merely locates men upon the land and adds to the population of the country and the increase of products?—A. Yes, sir. This State is not overburdened with manufactories, and we have no surplus employment for men of that character. I have directed my efforts principally, therefore, in getting settlers to clear up the land and put it in cultivation and make it yield.

Q. Has it ever come to your knowledge that the local foremen, or other superiors of men employed on the road, have taken advantage of their position to in any way obtain the betterments and the value of the improvements of men who were discharged, or who have been compelled to leave the road, so that they could profit by the loss of the men under them?—A. I never heard of such a case.

Q. Did you ever hear of any such complaint?—A. I never heard any such complaint, and never heard that any such complaint had been made.

Q. Will you hand us one of your blank contracts?—A. Yes sir.

Q. Now, suppose a party has made considerable improvements and payments upon his land, and then, from sickness or other trouble or willfulness, has not paid further, what means have you of taking physical possession of the land? Supposing he says: "I am justified by the amount I have paid and the improvements I have done in remaining here, and I will remain until I have got back what I have put on the land," what means have you of getting possession without a suit in ejectment or a suit cutting off his equitable rights?—A. If he were to insist upon remaining there we could not get possession except by going to our lawyers and getting them to take it in hand.

Q. Have you any provision for their removal?—A. I have never had a case of that kind, and I really have never consulted our lawyers about it, and therefore cannot tell you. I will state that if a case of that kind arises in the course of my employment I would give the man all the time and assist him as far as I possibly could in relieving him; that is, in every way that I could do it.

Q. That policy will not be changed as to any man merely because he was a striker?—A. No, sir; it cannot be.

Q. (By Mr. BUCHANAN.) If a man should, under a four-years' purchase of forty-eight payments, pay forty-seven of them and then fail on the last, would the company then

get the lands and all the payments and improvements as well?—A. Yes; unless he made such arrangements as I have suggested in regard to it.

Q. Do you know of any such instance?—A. No, sir.

Q. You say that it is the old Cairo and Fulton grant?—A. Yes, sir.

Q. From what point to what point does it extend?—A. From a point opposite Cairo, on the Mississippi, to Fulton, on Red River, was the original grant.

Q. And how wide?—A. The original grant was for 6 miles.

Q. Solid or alternate sections?—A. Alternate sections.

Q. Six miles on each side?—A. Yes, sir; then it was extended to fifteen and then to twenty, and now it extends to 20 miles on each side of the road in alternate sections.

Q. What is the price at which these lands are sold?—A. Taking the grant over, all the way from fifty cents to ten and eleven dollars an acre, is the way they are listed.

Q. They are listed in your office and the prices approved by the Union Trust Company?—A. Yes, sir; the prices have to be approved by the Union Trust Company.

Q. What is taken into consideration in making the estimation of value?—A. The price is regulated by the character of the soil, the character of the timber, the water privileges, and such considerations as these. I will state that the whole grant was, in the beginning, when this land department was opened by my predecessor, very carefully surveyed, and we have volumes of field notes on file in the office showing the general character of each 40-acre tract and its value.

Q. The Union Trust Company are the trustees under the mortgage?—A. Yes, sir; I will state that the sales run at an average of about \$3 to \$3.50 per acre.

Q. Is there anything in the original or supplemental grants to determine the price at which these lands shall be sold to settlers?—A. No, sir; I think not.

Q. Do you know under what charter the Iron Mountain road gets the interest in the sale of these lands?—A. If my recollection is right, but it is a long time since I read over the charter or saw them at all—but if my recollection is right, they are silent on that point.

Q. Can you give us the dates of those Congressional grants?—A. Well, I do not know that I can accurately from memory.

Mr. JOHNSON (one of the attorneys representing the road). The original grant was February 19, 1853, and it was extended by the act of July 28, 1866.

Q. (By Mr. BUCHANAN.) (To witness.) I am requested to ask how long has an occupant been allowed between the non-payment of the installments and the seizure of the property?—A. Well, there is no definite time stated.

Q. In point of fact, what is the practice?—A. I have allowed them two and three years; we have contracts where they have gone as long as seven, eight, and nine years. They were not employées.

Q. It is of employées I am speaking.—A. There would be no difference made; I have stated before that if I find a man to be an employé and he comes and states to me, either verbally or in writing, that he cannot pay out his contract at the time, and that he will be able to pay it, I would carry him for a number of years after that.

Q. How long is he allowed to find the purchaser after he finds he cannot pay himself?—A. There is no definite limit.

Q. Are you as liberal in that case as in the other?—A. Yes, sir.

Q. Do you know of any instances where you have failed to approve an assignment that has been spoken of?—A. I never have, sir; I do not think I have ever refused to approve an assignment in any case; never that I recollect of.

The following is the form of contract:

[No. —.]

Land department of the Saint Louis, Iron Mountain and Southern Railway.

This contract, made this — day of —, in the year 188 —, between the Saint Louis, Iron Mountain and Southern Railway Company, a corporation organized and existing under the laws of the States of Missouri and Arkansas (it being formed by the consolidation of the Saint Louis and Iron Mountain Railroad Company, of Missouri, with the Cairo and Fulton Railroad Company, of Arkansas), by Thomas Essex, its attorney-in-fact, party of the first part, and —, party of the second part, witnesseth: That, in consideration of the stipulations herein contained and the payments to be made, as is hereinafter specified, the first party agrees to sell unto the second party —, containing according to the United States survey — acres, more or less, for the sum of — dollars, on which the second party has — paid to the Union Trust Company, of New York, trustee under a certain deed of trust executed by the first party, the sum of — dollars, being part of the purchase money and one year's interest in advance, at 6 per cent. per annum, on the —. And the said second party, in consideration of the premises, hereby agrees to pay to the order of the said Union Trust Company, at the land department of the

said railway company, at Little Rock, Arkansas, the following sums of principal and interest, at the several times named below [blank form omitted]:

For which several amounts the party of the second part has—executed and delivered to the Union Trust Company, trustee as aforesaid, — promissory notes of even date herewith.

And the party of the second part hereby covenants and agrees that no wood shall be cut on this land (without a special agreement made with the trustees) except for the necessary fuel for the family, erection of buildings and fences on said premises, and clearing of the land for actual and immediate cultivation; and that all improvements placed upon said premises shall remain thereon, and shall not be removed or destroyed until final payment for said land; and further, that he will actually pay said sums of money above specified, as each of same becomes due; and that he will regularly and seasonably pay all such taxes and assessments as may be lawfully imposed upon said premises.

In case the said second party — legal representatives, or — assigns, shall pay the several sums of money aforesaid punctually and at the several times above limited, and shall strictly and literally perform all and singular the agreements and stipulations aforesaid, after their true tenor and intent, then and thereupon the first party will make unto the said second party — heirs and assigns (upon request at the land office of the first party at Little Rock, and the surrender of this contract), a deed conveying said premises in fee simple, reserving, however, a strip of land 200 feet wide, to be used by the first party for a right of way or for other railroad purposes, where the line of the Saint Louis, Iron Mountain and Southern Railway and its branches, is or may be laid over the premises, along which said strip the second party agrees to build and maintain a good and lawful fence on each side of said railway.

But in case the second party fail to make the payments aforesaid or any of them punctually, and upon the strict terms and at the times above limited and likewise to perform and complete all and each of the agreements and stipulations aforesaid, strictly and literally, without any failure or default, time being of the essence of this contract, then the party of the first part shall have the right to declare this contract null and void, and all rights and interests hereby created or then existing in favor of the said second party, or — assigns, or derived under this contract, shall utterly cease and determine and the premises hereby contracted shall revert to and revest in said first party (without any declaration of forfeiture or act of re-entry, or without any other act by said first party to be performed, and without any right of said second party of reclamation or compensation for moneys paid or improvements made), as absolutely, fully, and perfectly as if this contract had never been made.

And it is further stipulated that no assignment of the premises shall be valid unless the same shall be indorsed hereon or permanently attached hereto and countersigned by the commissioner of the land department of the said railway company (for which purpose this agreement must be sent to said department by mail or otherwise), and that no agreements or conditions, or relations between the second party and — assigns, or any other persons acquiring title or interest from or through — shall preclude the first party from the right to convey the premises to the said second party or — assigns, on the surrender of this agreement, and the payment of the unpaid portion of the purchase money, which may be due to the first party.

In witness whereof the parties hereto have signed and sealed this agreement in duplicate, the day and date first herein written.

SAINT LOUIS, IRON MOUNTAIN AND SOUTHERN RAILWAY COMPANY. [SEAL.]

By _____,
Attorney in Fact.

_____. [SEAL.]
_____. [SEAL.]
_____. [SEAL.]

Witnesses:

Know all men by these presents that the Union Trust Company, of New York trustee upon certain trust created and limited by a certain deed made between the Cairo and Fulton Railway Company and said Union Trust Company, of New York, bearing date December 10, 1870, and of record in the several counties in the State of Arkansas in which the lands hereby conveyed are situated, acknowledges to have received the amount of the cash payment, and also the notes given to secure the deferred payments on the purchase of land as specified, designated, and set forth in the foregoing and annexed contract made between the Saint Louis, Iron Mountain and Southern Railway Company and _____.

And the said Union Trust Company, trustee as aforesaid, covenants to and with the said _____ that if the agreements contained in the contracts aforesaid are

In witness whereof the Union Trust Company, of New York has caused its name to be hereunto subscribed and its corporate seal to be hereunto attached this — day of —, A. D. 188—.

By _____, *President.*

ASSIGNMENT.

Given under my hand and seal this _____ day of _____, A. D. 18 .

Land Commissioner.

Given under my hand this — day of —, 18 .

Post-office address of assignee ———.

DANIEL G. FONES sworn and examined.

By the CHAIRMAN:

Question. Are you engaged in business in Little Rock?—**Answer.** Yes, sir.

Q. How long have you been so engaged?—A. Since 1865.

Q. What is the character of your business?—A. Hardware, stoves, and tinware.

Q. Wholesale and retail?—A. Yes, sir.

Q. What amount of stock do you ordinarily carry?—A. Well, our stock runs from, probably, \$50,000 to \$100,000.

Q. What is the amount of business that you transact in a year?—A. About \$300,000.

Q. What is the style of the firm?—A. Fones Brothers.

Q. Is any one of your firm connected with the Board of Trade?—A. My brother is, I believe.

Q. In what capacity?—A. He is president.

Q. In what States do you transact business?—A. None, only in this State; selling to any extent in this; but that is confined to our hardware business. We have a business, however, that we do in several States. We manufacture cotton-gins, and have a trade in several States.

Q. Where do you purchase your supplies?—A. In various States; a considerable part of it in Saint Louis and Cincinnati.

Q. Was your business affected by the late strike?—A. Yes, sir.

Q. To what extent?—A. Well, during the strike it was probably affected about one-third; that is, the wholesale business.

Q. What was the effect of the strike upon the general business of Little Rock and the surrounding country?—A. I am not familiar with any other business but my own.

Q. I am not speaking of the effect as to dollars and cents. Was trade stagnated or business paralyzed?—A. There was a stagnation of business.

Q. How were the farmers affected, if you know, by the strike?—A. I cannot answer that question definitely. I heard some complaints; some of them that lived at a distance could not get goods. But I could give no general idea as to how they were affected.

Q. During the pendency of the strike did they receive farming implements?—A. Not on the Iron Mountain road from us.

Q. Did they receive them from any other direction?—A. Well, I cannot answer that.

Q. Do you receive any farming implements by other roads?—A. We receive some by the Memphis and Little Rock road.

Q. Were any shipments delayed on the road?—A. On the Iron Mountain they were.

The committee then took a recess till half-past one, when they resumed taking testimony.

ROBERT W. BAIRD sworn and examined.

By the CHAIRMAN:

Question. Have you been in the employment of the Iron Mountain Railroad?—Answer. Yes, sir; for about nearly nine years.

Q. When did you quit that employment?—A. On the 6th of March last.

Q. What was the occasion of your quitting?—A. I went out on this strike.

Q. What was your grievance, if any?—A. I had none.

Q. Did you know at the time you went out on the strike what you went out for?—A. Yes, sir.

Q. What was it?—A. Violations of the agreement of 1885.

Q. Violations by whom?—A. By the Texas and Pacific in the discharge of Hall; I think on the Missonri Pacific in the reduction of wages of men, and in the employment of men sometimes.

Q. Did you act upon the proposition submitted by Martin Irons?—A. Yes, sir.

Q. Did your assembly vote upon it?—A. I think they did; it was a secret ballot, and I do not know the result.

Q. How many men were employed in the shops in 1880?—A. Well, I have never kept a record of it, but there was a large business done; there would be double as many as we had at the time of the strike, I should judge.

Q. What was the rate of wages in 1880?—A. I think from 28 to 31½ cents an hour.

Q. What were the wages in 1886?—A. The highest paid was 30 cents, and the lowest was \$1 a day, in the shop that I am employed in.

Q. Do apprentices receive instructions in the use of all machines, or are they confined to one machine?—A. They receive instructions in the use of all machines.

Q. Were there any but the unskilled who were taught the use of but one machine?—A. No; not in general. Some had very little use of machines, and some were almost all the time on the machines.

Q. What position did you hold?—A. On the books I was a gang-boss of the lathes and turner.

Q. Did you as foreman ever have the men present grievances to you?—A. No; not until since the strike a few grievances have been presented to me.

Q. (By Mr. PARKER.) What violations do you know of the agreement of March 15, 1885?—A. In the payment of overtime, and time and a half for overtime; that was not kept in the machinery department until the 1st of September, 1885. That was when time and a half was first allowed for overtime.

Q. If you know of any case give me the name.—A. There are men in the shop, in the machine department, that worked until that day without receiving time and a half for overtime.

Q. Can you specify cases where they were not paid for overtime?—A. We consider overtime working after ten hours.

Q. Can you specify cases where men worked after ten hours; if so, give the names?—A. Oh, yes, sir.

Q. Do so.—A. Well, there was Fred. Chapman.

Q. When?—A. I have no dates giving any time that was worked and time and a half was never allowed.

Q. Do you remember any instance that you can specify where he was worked overtime?—A. No; I kept no record. On the 1st of September, 1885, when I asked the men to work they asked me what was going to be paid; I told them what was usually paid. I went to see Mr. Fuller, and he said he would pay time; and they said they would not work for less than time and a half. He asked me for their names. I went and got the names of all our men that had refused to work, and carried the list to him, and he said he would take it into to Mr. Richardson, the master mechanic, and if the men would work he would see what could be done. Next evening he said Mr. Richardson had agreed to pay it.

Q. Was it paid after that?—A. Yes, sir.

Q. Do you know of any previous demand?—A. No, sir.

Q. You do not know that it was ever called for before?—A. No, sir.

Q. When it was put in the shape of a grievance it was paid?—A. Yes, sir.

Q. Then the strike was not on that account?—A. No, sir.

Q. If the strike was not on that ground, then on what other ground was the strike?—A. Well, we heard that there was great complaint in the bridge and building department about working overtime and getting nothing for it.

Q. Did you strike on that account?—A. Yes, sir.

Q. Had you any formal grounds for the action of striking, or an order to strike, or a resolution to strike?—A. Well, I think we had.

Q. Was that one of the grounds as stated?—A. That was one of the grievances presented by Martin Iroos.

Q. Was that one of the grievances as stated in the order to strike?—A. Yes, sir.

Q. Will you verify it by some memoranda of your lodge?—A. I do not know whether I can or not.

Q. I know the grievance was presented by your representative; whether the strike as made was based upon that as a ground is the question I ask?—A. That was one of the grounds.

Q. What was the other?—A. The reduction of laborers' wages, and refusal to recognize the unskilled laborer under the agreement.

Q. Was that made one of the grounds in the document which ordered the strike?—A. It is my understanding that it was.

Q. Is there any other?—A. Well, I cannot state.

Q. You have stated all the grounds of the strike so far as you know?—A. I think I have stated all of them.

Q. If there are any others let us have them.—A. I do not know that I have any.

Q. Did Hall's case have anything to do with the order to strike?—A. Yes, sir; it was considered a base violation of the agreement to discharge him without a trial.

Q. Then you understand the discharge of a man upon the alleged ground of incompetency was in violation of the agreement of March, 1885?—A. My understanding was that if a man was discharged he was to have a hearing, as it was feared that in discharging the men they would discharge those who had taken part in the strike of March, 1885.

Q. You understood that the ground on which Hall was discharged was for taking part in the strike of 1885?—A. Yes, sir.

Q. Where did you get that information, sir?—A. Well, that was supposed.

Q. Is all that you have been stating upon similar suppositions?—A. Well, I never had any acquaintance with Hall. I am acquainted with men who have been there and tried to settle this difficulty, and on its failure we were called out by the district assembly.

Q. You knew members of the executive board who were at Marshall?—A. Yes, sir.

Q. Did you know that they were not treated with that official attention that they thought they were entitled to?—A. Yes, sir.

Q. And did you understand that that was one of the grounds of the strike?—A. Yes, sir.

Q. (By Mr. BUCHANAN.) What wages were you receiving at the time you left the employment of the company?—A. \$3.25 for ten hours' work.

Q. Of some of your ballots you do not know the result. Is it a fact that ballots are taken upon a proposition and the ballot sent to the executive board without the assembly knowing the result of the ballot?—A. Yes, sir. I think there was one instance of that kind that it was not counted. I am not positive.

Q. Does it not place the assemblies entirely within the power of the executive board as to the accuracy with which they state the result of the ballot?—A. No, sir; we had a representative there.

Q. Then what purpose could be subserved by your local assembly not knowing the result of the ballot?—A. It cannot be trusted to so many men. Some men would let the result be known.

Q. You will trust a man to vote and not trust him to know the result of his vote. There must surely be some better reason than that?—A. I cannot tell you that I am aware of the reason; but there was some reason for it.

CHARLES F. PENZEL sworn and examined.

By the CHAIRMAN:

Question. How long have you lived in this city?—Answer. About thirty years.

Q. Have you been engaged in business during that time?—A. Since 1885 I have been engaged in the wholesale grocery business.

Q. It is stated here that you are rated at \$300,000?—A. I come very near that.

Q. Are you in business yourself, or connected with a corporation?—A. A corporation.

Q. C. F. Penzel Grocery Company is the style of it?—A. Yes, sir.

Q. Do you occupy any other prominent position in this city?—A. I am interested in other mercantile enterprises; in flour milling; I am interested in the lumber business; and president of one of the banks here—the Exchange National Bank.

Q. What is the capacity of the flouring mill?—A. Four hundred barrels a day.

Q. Can you give us a general idea of the amount of damage done to the business interests of Little Rock by the strike?—A. I can speak more of our own business than any business in town—the grocery business. We could not get our goods. The Iron Mountain road quit paying for three weeks, and that cut in twenty-five or thirty thousand dollars of our business.

Q. Cannot you give us an approximate idea of the general loss to the business interests of the city by the strike?—A. In the difficulties of shipment, in the selling and filling of orders in that particular territory which was cut off in this trade, it would amount in our business to 25 or 30 per cent. in the grocery business; in the milling business, an entire stoppage. We are so unfortunately placed this year as to be dependent on Texas for wheat. We get it over the Missouri Pacific system.

Q. Do they raise wheat in Texas?—A. We get our supplies from Texas.

Q. Well, did it affect business generally and paralyze business and stop the course of commerce?—A. There was a stoppage to the extent of shipment over this particular territory that was affected by the stoppage of transportation.

Q. Are your sales confined to this State or do they penetrate other States?—A. Only this State.

JOHN B. HEITCHEN sworn and examined.

By the CHAIRMAN:

Question. Are you employed by the Iron Mountain Railroad Company?—Answer. I am.

Q. How long have you been in this employment?—A. Since the 1st of December last.

Q. In what capacity?—A. As assistant general foreman in the bridge and building department.

Q. Did you occupy that position when the strike occurred in March?—A. I did.

Q. Did your men go out?—A. Yes, sir; part of them.

Q. Have any of them returned?—A. Yes, sir; a few of them.

Q. What about the increase or decrease of wages in your department since your employment by the company?—A. Well, I do not know of any decrease in wages; in fact, there has been a gradual increase.

Q. Were any grievances presented to you in your department?—A. Well, there were none presented directly to me.

Q. What do you allow to men as overtime when they move out and in on Sunday?—A. We allow them time and a half for all they work on Sunday; that is, for actual work.

Q. That is, when moving, going to or from their work?—A. Here is a circular of instructions issued by the foreman:

The CHAIRMAN. I do not care about that. What are they paid, or are they paid, while they are moving?—A. Well, there is a difference in moving men that are working in gangs. When we move them in cars, unless they are actually at work we do not pay them time and a half, but from the time they get to work and get out of their cars they are supposed to get time and a half.

Q. Do you know about what number of bridges were burned during the strike?—A. Well, I do not know how many of them; I know we had quite a lot of fires.

Q. Do you keep any record of the number?—A. Yes, sir; we keep a record of them.

Q. Do you not know the number of them?—A. I do not remember, and I cannot call to memory how many there were.

Q. Was the number above or below the average—I mean during the same period of time?—A. I am not prepared to say whether it was above or below.

Q. Were the men allowed time and a half while moving prior to the strike?—A. All moves depend upon the foreman. The foreman is instructed to give time and a half for all overtime; between six o'clock in the morning and six o'clock p. m., single time, and after that time and a half, while they were at work and while they

were not moving. If they did not get time and a half the fault lay with their foreman.

Q. Were men not in boarding cars allowed time and a half while moving?—A. I think they were.

Q. (By Mr. BUCHANAN.) There is a clause in what is called the Hayes agreement of March, 1885, which provides that time and a half be paid for overtime. The men, as appears from this investigation, now claim that in going to and from their work, and while not necessarily engaged in their work, they are to have time and a half for the time going to or coming back from the job. In your experience as a foreman was that claim in fact made by any workman before the strike?—A. Well, not to my knowledge. I will say that I worked the men myself, and had charge of the division at the time of the strike in March, 1885, and my men on that division always got time and a half for every hour of overtime reported by the foreman.

Q. When you speak of that you reported the time engaged in work?—A. No, sir; if an order was given from the office for me and my men to take a certain train and go to a certain place, the time started from the time we took that train.

Q. And kept up until the time they returned?—A. That was on the Iron Mountain; that was on the division I had.

ISAAC WOLFF sworn and examined.

By the CHAIRMAN:

Question. How long have you been engaged in business in this city?—Answer. Eighteen or twenty years, in the mercantile business.

Q. Do you belong to a firm, and if so, what is the style of it?—A. It is the firm of Wolff Brothers.

Q. What amount of stock do you carry?—A. Ordinarily we carry from \$75,000 to \$150,000 worth of stock.

Q. To what States does your business extend?—A. Principally in this State.

Q. What effect did the strike produce upon your business, if any?—A. During the strike for two weeks we were unable to ship any goods south, and our business, I suppose, suffered about one-third.

Q. That is, in actual damage?—A. Yes, sir.

Q. Consequential damages you cannot say?—A. No, sir.

Q. Did you bring in your drummers?—A. Yes, sir.

Q. Why?—A. We brought in two men because we could not ship the goods after we took the orders.

Q. Did the people in the country keep up your orders, or did they have them filled at other places?—A. We had countermands in a few cases.

Q. What reasons were assigned for countermanding the orders?—A. Because we could not ship the goods.

Q. How did it affect your collections?—A. Our collections were very slim during that time, and I think that was the direct cause.

Q. Did parties who failed to pay their debts assign that as a reason?—A. Yes, sir; as a matter of course; that was understood.

Q. Has your business recovered its former volume?—A. Yes, sir.

Q. What were business prospects prior to the strike?—A. Very good.

Q. What was the general effect; was there paralysis of trade?—A. There was a stagnation generally in business.

Q. Have you any idea of the damage done to the business of Little Rock in general by the strike?—A. I should judge that the business during that time suffered at least one-third.

Q. Do you know what the estimated trade of Little Rock amounts to annually?—A. You mean by that all lines of goods. That is a very hard matter for me to state. I suppose it is probably \$5,000,000 or \$6,000,000.

Q. Were there any parties here out of employment in addition to the strikers, on account of the inability of their employers to do business by reason of the suspension occasioned by the strike?—A. I cannot say.

Q. Do you know of any men losing their occupations, such as clerks, porters, or messengers, on account of the strike?—A. I do not know of any.

JAMES YATES sworn and examined.

By the CHAIRMAN:

Question. What grievance did you present to the Iron Mountain Company about the reduction of wages, if any?—Answer. Well, when I first commenced to work in the employment of the Iron Mountain Railroad I got \$1.75 a day for ten hours. I was in the employ of the company at the time of this cut in October, 1884.

Q. How much did they cut you?—A. They cut me 10 cents on the day.

Q. That was in October, 1884?—A. Yes, sir; we were working the nine-hour system and I was getting \$1.65; I was getting \$1.65 for ten hours and we were only working nine hours.

Q. Then your wages were \$1.48½?—A. Yes, sir. I got notice in October that my wages were cut from what I had been getting. I did not know what to do, and I went to see Mr. Richardson, the master mechanic. He said he could not help that, which I did not suppose he could. I told Mr. Richardson the circumstances, that I would like to work there, that I had a family to support, and that I could not work for that wages and support them. Several of the boys quit that evening and said they could not stand it.

Q. Were your wages restored?—A. No, sir; they never have been.

Q. You still continued to work, did you?—A. I went in and talked to Mr. Richardson about my wages being cut, and that I could not make \$1 a day, and that I thought I would quit. Mr. Richardson said that his advice would be to go on and work and that probably the thing would change. I told him if he could give me any definite word about it that I would be sure of I would work on. He said he could not do that; so I told him I had better take my time.

Q. What did you do?—A. I just voluntarily quit the business.

Q. When was that?—A. On the 11th day of October, 1884; the day I had this talk with Mr. Richardson.

Q. When did you quit?—A. On the 10th of October, 1884. I quit that evening.

Q. Did you go to work again?—A. No, not then; I did come back January 19, 1885.

Q. At the same wages?—A. No, sir; I did not commence at the same wages. I supposed I would get my former wages; some of those that had quit got it back, and I thought that I would.

Q. Had you no contract with the man who employed you as to what your wages would be?—A. I just went to work, and when the month was up I kept account of the hours and days that I worked in the month so as to see what my wages were, and when it was \$1.65 a day for ten hours I went to the general foreman, Mr. Fuller, and told him my check was short. He looked at it and said it was not. I told him I was not getting \$1.75. He considered it awhile and said, "Work on, I will right that for you." I worked on, and I counted up my hours again, and I got \$1.70 a day for the next time I drew my check. I told him I was short a little more, and he said as I quit at the time, they had agreed to divide the spoils with me and let me have \$1.70. I then called their attention to this notice of the agreement of 1885, and called the attention of Mr. Richardson and the general foreman to the fact that it said that the rates were to be put back to the former price.

Q. What circular are you talking of, the Hoxie circular based on the Hayes agreement?—A. Yes, sir; I wanted it settled on that.

Q. Have you had your wages restored under that?—A. No, sir.

Q. Did you go out on the strike this last time?—A. Yes, sir.

Q. What did you go out for?—A. I went out for one reason; I think I had grievance sufficient.

Q. Of your own?—A. Yes, sir.

Q. But you had gone out on a lone strike of your own in October, 1884, and came back?—A. I did not go out on a strike; I called for my time; I did not ask for my time.

Q. You mean you went out and left your money in the hands of the company?—A. Yes, sir.

Q. What good did that do you?—A. It was not done. I did not consider I had quit.

Q. You did not? Do you not think you have quit now?—A. Well, it would look that way now.

Q. Did you get your money from the company?—A. Yes, sir.

Q. Your private grievance then was that you did not get your wages restored as promised by the foreman of whom you spoke?—A. Yes, sir.

Q. But would you have gone out if you had not been ordered out by Martin Irons?—A. No, sir.

Q. Then really you went out because you were ordered out?—A. Partly.

Q. What other cause exists for your going out?—A. I did not get my pay according to promise, and the other was I was ordered out.

Q. There were two reasons?—A. There were the two.

Q. If you had received your former pay and Martin Irons had called you out would you have gone?—A. Yes, sir.

Q. Do you know why Martin Irons called you out?—A. I did not know then; I was not as well posted as I have been since.

Q. Then really when you were ordered out by those whom you regarded as the proper authorities you went out without inquiring into the cause?—A. Yes, sir.

Q. Did you seek re-employment by the company?—A. I did.

Q. Since the strike was ordered off?—A. Yes, sir.

Q. To whom did you apply?—A. To the master-mechanic.

Q. What did he say?—A. He said he had as many as he wanted; all that was necessary; and that he did not want any more.

Q. Did you ask Mr. Richardson how he thought prospects would be in the future?—A. He gave me to understand that it was no use sitting around expecting a job there, and I had better seek employment somewhere else.

Q. Why?—A. I did not ask him why.

Q. Did he say that you had been engaged in these depredations committed on the property of the company?—A. No, sir; he did not.

Q. Did he say he would not give you employment because you were a Knight of Labor?—A. No, sir. He said at the time he was needing hands during the strike he sent for some of them to come back and they would not come back. He had to have men, and he had got men and he could not let them go now to take others. I did not expect him to discharge the man he gave my job to.

Q. You thought his view of the situation was correct?—A. I merely wanted to ask if my services were dispensed with.

Q. What do you understand by a strike?—A. There are two kinds of strikes; one a peaceable walk-out, where the men simply quit their work and permit other men to take their places without interference or molestation, and refraining from committing depredations on the property of the company?—A. Yes, sir.

Q. And also from interference with the transportation of freight. That is one kind of strike?—A. Yes, sir.

Q. Another kind of strike is one in which the strikers take possession of the property of the company, obstruct commerce and transportation of goods everywhere and interfere with employes who decline to go out on the strike, and also with any who are employed in the place of the old hands?—A. Yes, sir.

Q. Do you believe that either kind would remedy the grievances complained of by the men?—A. I do not believe in the kind of one you spoke of last.

Q. Do you believe in the first one?—A. I believe in none at all. That would be the best course.

Q. Tell me what your object would be in going out on one of those peaceable strikes. By going out on that kind of a strike, would you remedy grievances?—A. No, sir.

Q. What object would you intend to accomplish by going out on a peaceable strike?—A. I think that men who would present their grievances would get them quicker that way than any other way.

Q. Is it not better to present them before going out?—A. I supposed that had been done.

Q. If that is done and you go out on a peaceable strike your object is by action to force the company to redress your grievance, is it?—A. Well, I suppose it would lead them to do that if they pleased to.

Q. Would you not expect them to be compelled to it by your going out? If you did not think your going out would be effective, why go out?—A. The whole of our fellowmen would be benefited. Personally I am not much concerned in it. So far as I was individually concerned whether I got \$1.75 a day or whether I never got it, I did not expect to be affected in any way by going out.

Q. Is there a surplus of railroad labor?—A. There is at the present day.

Q. Was there not at the time of the strike?—A. I so understand.

Q. You have been refused employment on the ground that the railroad company had plenty of labor, have you not?—A. Yes, sir.

Q. So long as there is a surplus of labor population in our country if you walk out peaceably, do not burn trestles, kill engines, or prevent men from taking your places, what possible good can result to you? If men take your places you will have to seek employment elsewhere and sell your homes. What benefit can you derive, therefore, from a peaceable walk-out?—A. I do not know about anybody but myself. I can not talk for anybody but myself. Of course all of us are liable to do wrong sometimes.

Q. If you walk out peaceably and quietly and there is another man ready to take your place, and he does take it, and you do not prevent him from taking it, and you do not interfere with the traffic of the country, and do not burn trestles and do not kill engines, what good can possibly accrue to you?—A. I cannot say.

Q. Is it any advantage to you?—A. I supposed it would be.

Q. (By Mr. PARKER.) Have you a family?—A. Yes, sir.

Q. Are you at work now?—A. I am not.

Q. How much have you earned since the 6th of March?—A. I have earned but very little. I have had only one job and got \$10 for that.

Q. Do you know of any employment you can get?—A. I have not yet tried until I saw if I could get any employment by the company.

Q. Why did you not try?—A. I did not deem it necessary.

Q. Have you had help from the Knights of Labor to support you?—A. Some, I have.

Q. When the strike was ordered off, did that help end?—A. Yes, sir.

- Q. Then you have got to take care of yourself?—A. Yes, sir; I suppose so.
- Q. Did you consider that in going into a strike like that you did your duty towards your family?—A. Well; yes, sir; I looked on it rather that way.
- Q. Do you know that the wages paid to the men by the railroad company are paid by business men in paying charges upon freight?—A. Yes, sir.
- Q. Do you think you have the right to throw the business of these men into confusion without any notice to them?—A. Well, I think I have.
- Q. (By Mr. BUCHANAN.) What did you do when you were employed by the railroad company?—A. I was a machinist's helper.
- Q. What were your duties?—A. I was in the running repair shop, and my duty was to do such work as I was ordered to do on the engine.
- Q. Mechanical or simply laboring work?—A. Well, both of them, you may term it.
- Q. Was it talked round among the men before that if they had a strike they would not allow the freight engines to run?—A. No, sir.
- Q. Was anything of that kind said in your presence?—A. No, sir.
- Q. Did you not understand that when the men struck they would not allow the company to use its property for transporting freight after they commenced the strike?—A. No, sir.
- Q. Were you one of the seven appointed as guards?—A. I was left in reserve to do the passenger work.
- Q. Tell me what you mean by that.—A. There were three or four men left there to do the running repair work on the passenger engines only.
- Q. Why was that exception made?—A. Well, they did not want to conflict with the running of passenger trains, and wanted to keep up the repair work.
- Q. Before the hour when the whistle blew on the 6th of March, were you told you might remain there to attend to the passenger engines?—A. No, sir.
- Q. Did you go out when the whistle blew?—A. Yes, sir.
- Q. When did you go back to work?—A. Next morning.
- Q. Who told you to go back?—A. My round-house foreman saw me, and George Gray told me I could go back.
- Q. Did he go out on the strike?—A. No, sir.
- Q. Did not somebody else give you leave to go back?—A. I do not know at whose orders we went. One man came from the executive board of the Knights of Labor.
- Q. How do you know he had those orders?—A. He told me he had.
- Q. On that you went back and remained there, how long?—A. That was on the Sunday morning I went back. I worked Sunday, Monday, and Tuesday until dinner. I went home, and my wife was sick, and I sent him word I could not come back until my wife got better, and I never went back at all.

FRANK NICHOLS sworn and examined.

By the CHAIRMAN:

Question. How long have you been employed by the company?—Answer. Nine months.

- Q. In what capacity?—A. As car-repairer.
- Q. Did you quit the company on the 6th of March?—A. Yes, sir.
- Q. Did you quit work then?—A. I did.
- Q. Why?—A. For the simple reason that I was just remaining out of work to see whether my fellow workmen had their just rights righted.
- Q. Had you any special grievance of your own?—A. I went into the strike on my own reason; whether it was justifiable or not though, I do not know.
- Q. Had your grievance been presented to the local assembly?—A. It had gone no further than the master mechanic himself.
- Q. Were they confined to your own personal case?—A. About my wages and the violation of the agreement of 1885.

Q. You kept it to yourself?—A. Not altogether. I placed it in the hands of my foreman, who carried it to the master mechanic, and he returned to me with the answer. In September, 1884, I was getting \$1.75, and I received notice from the assistant master car-builder that I would be cut down 10 cents—to \$1.65 for ten hours' work. That was the notice I received, and after that until March 1 was paid \$1.65 per day, until Mr. Kerrigan ordered that we should be restored to the former September pay, 1884. I waited until the month ran out, and I saw that I did not get it. Then I went to my foreman, Mr. Hazleton, and stated to him that I would like to have the company do right. I went to him several times, and he said he would go and talk with the master mechanic. He afterwards said, "You began work on the 10th of September, and therefore you were not entitled to September pay." Therefore I only received \$1.65 from October, 1884, till March 5, 1886. That is part of my grievance.

Q. Was that included in the list of causes that produced the strike of 1886?—A. Not at all.

Q. What did cause that strike?—A. Various reasons.

Q. Tell us the reason that was assigned at the time you went out.—A. There was no reason named to me. I did not belong to the district that went out.

Q. I understand that yours is a mixed assembly, and therefore not under the jurisdiction of Martin Irons?—A. No, sir.

Q. Did you give the moral support of your assembly to the strike?—A. The few that were at work went out.

Q. Are you a married man?—A. I am.

Q. How large a family have you?—A. Myself and one child.

Q. Have you been employed since the strike originated?—A. No, sir.

Q. Are you working now?—A. No, sir.

Q. Have you solicited employment from anybody?—A. I have.

Q. When?—A. I solicited employment when the strike was ordered off this last time.

Q. Did you try to get work prior to that time?—A. I did not.

Q. Why?—A. For the simple fact that I was expecting to take my old place as soon as the thing was settled up.

Q. Did you think you could leave the company whenever you pleased and go back whenever the proper time came?—A. I supposed that I could do that.

Q. Were you assisted by the Knights of Labor pecuniarily?—A. I was in some degree.

Q. Have you a home in Little Rock?—A. I live in Argenta. I have not got one of my own, but I am paying for one.

Q. Did you buy it from the road?—A. From a real estate agent in Little Rock.

Q. Were you denied employment when you sought it from the company?—A. I was told that they had all the business they could carry.

Q. Did they hold out any inducements to you to solicit employment from them?—A. On the contrary, it looked somewhat probable the other way, that they did not intend to employ me; consequently I took it for granted that they did not want to give me any employment.

Q. What do you expect to do now?—A. Hunt up work.

Q. What are you going to do with that home?—A. Let it go.

Q. What benefit have you derived, if any, from that strike?—A. I do not know of any.

Q. What benefit has anybody derived from it but those who have taken your places?—A. It is those who are coming here after us that will derive all this benefit.

Q. Posterity?—A. Yes, sir.

Q. Do you believe in strikes as a remedy for grievances?—A. Well, to put the matter short, I cannot say that I do; but there are times, when all other things fail, that it may remedy them.

Q. What kind of a strike—a peaceable strike?—A. A peaceable strike, of course.

Q. What good can come from your walking out of employment if business goes on just the same as ever and other men take your places?—A. If the men walk out and it is difficult to fill their places with men, the corporations would rather adjust the grievances than to pay for bringing men; and then peaceable strikes will naturally bring them up; and then we will next have arbitration.

Q. But the testimony on the part of the railroad shows that men can be obtained.—A. I cannot agree with that. Woodchoppers cannot know anything about building in a car department.

Q. What does a woodchopper do?—A. Chops wood, and hauls it to town and sells it.

Q. What difference does it make whether he knows anything about machinery or not?—A. Only that he has to learn a trade, and it takes some time to learn.

Q. You mean that after he learns these things, he is promoted?—A. After he learns these things, he will make a good hand.

Q. Do you mean that the strikers monopolize all the railroad skill?—A. I cannot say that it is so; but it is pretty much so.

Q. Are there not other places where they can send and get men that are as competent as the strikers?—A. I cannot say that they can.

Q. Did they not resume business as soon the officers took possession?—A. Well, now I cannot answer directly, because if you refer to the track out there, working over the road I cannot see any, but as far as hauling the cars or traffic in a like manner I would say that they could not.

Q. Do you not believe that to make a strike effective it is actually necessary to seize the railroad property, to prevent engines from hauling trains, to keep men from taking your places, and if possible to force the non-striking employees to stop work? Do you not also believe that a simple walk-out, if other men take your places and trade goes on just the same as it was before the strike, would amount to nothing so far as the strikers were concerned?—A. I do not agree with anybody that participates in strikes with any violence whatever.

Q. Do you not believe that in order to make a strike effective there must be an

interference with the company's use of the property by the strikers taking possession of it and trying to stop all the business of the community?—A. Everything in that way can be stopped.

Q. Is not that a violation of law?—A. Certainly.

Q. If a lawless strike is of no effect and a peaceable strike is of no effect, what good can be accomplished by pursuing either course?—A. It may tend to bring the corporation some time in the future to look to a course whereby they can arbitrate these matters.

Q. But while the grass is growing the horse may die.—A. It will do good for those that are coming behind.

Q. Those who go out may starve.—A. They can go elsewhere to seek employment, but I do not think any of them will starve.

Q. But a good many of them will have to sacrifice their property?—A. A good many of us will have to make some sacrifices.

Q. Do you not agree with Mr. Powderly that arbitration beforehand is the proper method for the adjustment of grievances?—A. Yes, sir.

Q. And that boycotts and strikes are to be avoided?—A. They are.

Q. Did not Mr. Powderly direct that this strike stop on the 1st of April?—A. He did.

Q. As you had gone out merely on Martin Irons's order, when Mr. Powderly, who is the head of your organization, directed the men to be ordered back to work you were no longer under obligations to Martin Irons, why did you not then go to work?—A. For the simple fact that as a citizen I did not care to have a gun pulled down upon me; and in going to the shop to inquire for work that would be the consequence.

Q. You thought, then, if you sought employment of the master mechanic that he would pull a gun on you?—A. Not he.

Q. Who?—A. The guards that surrounded the shop.

Q. Were there several of the employes of the road re-employed?—A. I do not know that there was; not belonging to the order.

Q. Do you say that you had sought employment?—A. I did the last time that the strike was declared off.

Q. (By Mr. PARKER.) When you struck you expected the company would yield, did you not?—A. I expected they would come to some terms with this board that have their grievances there.

Q. If I understand you right, you said that in September you were paid for your work at the rate of \$1.75 per day?—A. Yes, sir.

Q. That afterwards, and before March, 1885, you were reduced to \$1.60?—A. One dollar and sixty-five cents; yes, sir.

A. That from that time on, and until the strike, you were not put back, but only left where you were in September?—A. That is a fact; yes, sir.

Q. That is a plain grievance. Now I want to know if it has not been the talk among members of the order in their general discussions that the railroad employes, the men, helped to create this property, that they helped make it and build it up, and therefore they had a right to take hold and manage and control it?—A. I have not heard any such discussion or any such talk.

Q. Is not that your belief?—A. Well, in one way it is, and in another it is not.

Q. Is it not stated to you by some of your orators that the laboring man created the property of these railroad corporations as God created all things, and that they had similar right to control what they created?—A. Certainly.

Q. And these discussions have helped to induce the disposition of the men that has resulted in interfering with property and the movement of trains when disturbances have occurred?—A. No, sir; not as a general thing. Such as that is not allowed in our order, to take any such ground as that.

Q. Is it understood by the people who call themselves especially the laboring man's friends that the laws of the country have been more liberal towards corporations and employers than towards employes?—A. That is supposed to be the fact.

Q. It is talked over among them that they are not so well treated as other classes?—A. I cannot say it is talked over to them.

Q. What is your belief about that?—A. I think it is to a great extent.

Q. What is your birthplace?—A. Connecticut.

Q. Were you here during the strike?—A. Yes, sir.

Q. Have you known of interference by strikers with property here?—A. I have not known of them personally.

Q. But you have known of it in a general way?—A. Yes, sir.

Q. I want to know whether you would say that these men have the right to interfere with that property? Do not give me your sources of opinion, but just as mingling with the men, state whether it was their theory that they had a right to take possession of that property?—A. I cannot answer that question, because I would have to speak for more than myself. Of course the theory is that in case the traffic was

stopped it would naturally result in the matter being settled quicker. That is, that the corporations would be brought to terms quicker.

Q. Then it was part of the struggle between the strikers and the corporation as to who should have the property?—A. It naturally appeared that way.

Mr. BUCHANAN. You started to tell how long you had been employed at the time of the strike; how long in fact were you?—A. Nine months, short.

Q. What were your duties?—A. I have been in various positions. I have been a car repairer and fireman, and at the time of the strike was car inspector on the roads here connected with the Iron Mountain Company.

Q. This question is handed me to ask you: When you made application for a situation since the strike was ordered off, did you expect to receive the wages you received before, or did you expect to go back at increased wages?—A. I expected if they employed me I would get my former wages.

Q. I understood you to say that in your opinion a strike was justified only after every other means had been resorted to and failed?—A. Yes, sir.

Q. Did you know that in the case of the strike on the Texas and Pacific the executive committee of district No. 101, having the case of Mr. Hall in charge, declined to go from Marshall to Dallas to interview Mr. Brown after they had been furnished passes by the company for that purpose?—A. I did not know anything about that.

Q. That was not stated to you?—A. No, sir; I knew nothing about the strike until three hours before the whistle blew.

Q. Had you known it to be a fact (I do not state it to be the fact) that the strike on the Texas and Pacific was ordered after the executive committee that ordered it had refused to go to Mr. Brown, one of the receivers, in person to present the grievance in the case of Mr. Hall, would you then have struck?—A. If I had known that they had refused, I would not have struck.

Q. Then if I say to you that such fact appears in testimony, are you then prepared to say that that executive committee exhausted all the means to avert a strike on the Texas and Pacific?—A. If I knew that that was the fact I should say that they did not use all the means to avert a strike.

Q. Had there not been a strike ordered on the Texas and Pacific, would there have been a strike on what is known as the Missouri Pacific, including the Iron Mountain?—A. I do not know, because I do not know what the executive board would have done.

Q. If Martin Irons ordered the strike without informing the assemblies that that executive committee of No. 101 had refused to go to Dallas to see Mr. Brown, did he use proper fairness towards those assemblies?—A. I should not think he did.

Q. Is there not this difficulty in your present organization, that you may be ordered to strike, and under the rules of the order obey implicitly and cheerfully, and yet that order be issued by a man of little discretion or judgment?—A. Our orders are, of course, to obey our superiors.

Q. You mean superiors in position, not in skill, in integrity, or all that goes to make up a man?—A. No, sir.

RICHARD B. KENDALL sworn and examined.

By the CHAIRMAN:

Question. What do you know of the allowance of overtime on the Iron Mountain road?—Answer. I know we were not allowed any overtime or time and a half until the 1st of September, 1885.

Q. Were you employed by the company at that time?—A. Yes, sir.

Q. In what capacity?—A. As machinist.

Q. How long had you been employed the 1st of September, 1885?—A. Since July 22, 1882.

Q. Are you still working for the company?—A. No, sir.

Q. When did you quit it?—A. On March 6, at 10 o'clock.

Q. Were you a Knight of Labor?—A. Yes, sir.

Q. Do you belong to district assembly No. 101?—A. Yes, sir.

Q. Why did you go out on a strike?—A. Because I thought we had sufficient cause for a strike.

Q. Did you think that before 10 o'clock on the 6th of March?—A. Yes, sir.

Q. Why did you not go out on a strike then?—A. Because my mind was not made up fully at that time.

Q. Is it not a fact that you went out because you were ordered out by the executive board?—A. Yes, sir; it would certainly have done no good to go out on a strike alone.

Q. Were your grievances included in the list upon which the strike was based?—A. Only in regard to the overtime.

Q. Was that included in the list of grievances?—A. I am not positive.

Q. What was the cause of the strike?—A. Well, sir; there are a great many grievances.

Q. What was the cause assigned by those who are in official authority, and have the right to declare a strike? What cause was assigned by the executive board?—A. One cause was in regard to the bridgemen being hauled and not allowed time for the time they were hauled during actual working hours. That is one reason. One reason I believe was in regard to the apprentices not getting their wages raised according to agreement; and, well, in fact, as I understood it, the principal cause of the strike was that the contract of March, 1885, was violated in nearly all cases, or a great many.

Q. Were these causes assigned by Martin Irons and his associates for the strike?—A. That is my understanding.

Q. Is it not the duty of the district executive board to take a vote of the local assemblies in their jurisdiction before ordering a strike?—A. I believe it is.

Q. Do you know whether it was done or not?—A. I believe it was.

Q. Were propositions submitted to the local assembly of which you are a member?—A. I think they were in writing, but I am not positive.

Q. Do you remember how many propositions were submitted?—A. No, sir; I do not remember exactly how many.

Q. Is it possible under the rules of your organization for Martin Irons to order a strike without submitting it to the vote of the assembly?—A. Yes, sir; I think it is.

Q. Are you not mistaken about that? Can Martin Irons order a strike unless he is ordered to do so by the majority of the local assemblies?—A. I do not think he can.

Q. Then Martin Irons did not order this strike without authority, and the majority of the local assemblies are responsible for it?—A. I think so.

Q. (By Mr. BUCHANAN.) But after the local assemblies have voted, is it not still in the discretion of the district executive board as to whether they will order the strike or not?—A. I hardly know in that case.

LEVI M. DAVIS sworn and examined.

By the CHAIRMAN:

Question. Do you know of the Knights of Labor getting men to quit going to work or taking places at the shops after the roads resumed business?—Answer. No, sir. I know that there was one Saturday, I think about the 24th or 25th, there were some men talked to, but there was no intimidation used. I could bring numbers of them to state that. We talked to the men and explained to them how they stood. They quit of their own accord.

Q. Are you a Knight of Labor?—A. That is a question I have a right to refuse to answer.

The CHAIRMAN. I do not think you have a right to refuse to tell that of yourself.—

A. Would this be used against me?

Mr. BUCHANAN. Are you under indictment now?

The WITNESS. I do not know whether I am or not. There is no hesitation in me telling you, but I want to know why it is I am called on to say that.

The CHAIRMAN. In other cases where we have been informed that men were under indictment, we have declined to ask them any questions that might jeopardize them in their trial.

Mr. BUCHANAN. He has already spoken of an interference with these different persons, and if he goes into that at all we shall have to go into it fully.

The CHAIRMAN. I will not ask him any questions on that subject; he may testify voluntarily.

Q. You have tacitly admitted that you are a Knight of Labor by saying that you and the committee went to talk with the men?—A. I did not say that it was a committee of Knights.

Q. Are you a Knight of Labor?—A. I am.

Q. Were you on the committee of Knights of Labor that was to go and talk with these men?—A. No, sir.

Q. Were these men who were seen by you Knights of Labor?—A. That I decline to answer.

Q. I do not ask you their names, but simply whether they were Knights of Labor?—A. Some of them were and some of them were not.

Q. These men and yourself used moral suasion, as I understand you?—A. Yes, sir.

Q. To induce these men to quit the employment of the company?—A. Yes, sir.

Q. And used no threats or violence?—A. No threats nor violence.

Q. Do you mean to convey the impression that no threats were used nor any acts of violence practiced?—A. I do not know what the others did; I speak only for myself, and, as far as my knowledge is, I do not know that any of the others did.

Q. What position did you occupy in the employ of the Iron Mountain Railroad Company?—A. I was a machinist in the shops.

Q. How long had you worked for the company up to the 6th of March?—A. From the 22d of September, 1885.

- Q. Are you still in the employment of the company?—A. No, sir.
- Q. Did you quit or were you discharged?—A. I came out on the strike on the 6th of March.
- Q. Did you occupy any position in the local assembly here?—A. Yes, sir.
- Q. What position?—A. A financial secretary.
- Q. Who issued the order directing you to go out on a strike?—A. Well, the orders came from District No. 101.
- Q. Were you a deputy sheriff at the shops after the strike was ordered?—A. I was.
- Q. You were one of the seven men appointed to take charge of the property?—A. Yes, sir.
- Q. While you were acting as deputy sheriff did you see any depredations committed on the property of the company?—A. No, sir; I did not. If I had I would have violated my oath that I took at the sheriff's office if I had not arrested the party.
- Q. Is it not a fact that while you were in possession of the property and were guarding the property of the company it suffered injury at the hands of outsiders?—A. I did not see any.
- Q. Did you see the property after it was injured?—A. I saw some.
- Q. Do you not know it was done?—A. I know it was done, but I do not know who it was done by while I was acting as a deputy; I thought I was a deputy, but in reality I was not.
- Q. You were acting as a deputy there whether you had lawful authority or not, and you were put in charge of the property, were you not?—A. The sheriff put me in charge of the property, but he did not make me his posse.
- Q. What did he tell you?—A. He told me to protect the property, and he gave me a document which said "Approved by——," and after calling his attention to that I asked him the question who that should be approved by, and he said that did not amount to a row of peas, and I afterwards found that it did not amount to a row of peas.
- Q. Did you resign that commission?—A. No, sir; I did not. I went to Judge Hall and had it approved by him, and then it became lawful. Then there were some depredations committed on the property. It is impossible for seven men or a dozen men to guard the property if anybody wanted to do anything.
- Q. Did you seven men ask the sheriff to appoint you?—A. Yes, sir.
- Q. Why did you?—A. It was to defend the order as well as the property, and to keep the order from being reflected on by the action of outsiders.
- Q. Did you anticipate depredations?—A. Yes, sir; as in all cases, there is black sheep in every flock.
- Q. Do you know anything of the regulation of wages paid to apprentices on the Iron Mountain Road?—A. I do; they are from \$1.50, \$1.90, to \$2.
- Q. Were apprentices paid according to customary usage?—A. These apprentices under Mr. Hoxie's jurisdiction were paid, I think—some of them—more than they were before, and in some respects the same.
- Q. Were these seven men authorized by the organization to apply to the sheriff to you he appointed?—A. Yes, sir.
- Q. Did you guard the property faithfully and efficiently before you found out that were a legally appointed deputy?—A. I fulfilled my trust.
- Q. And the other six did also?—A. One of them surrendered his document. Mr. Delay, I think, took his back. That left only six of us altogether.
- Q. (By Mr. BUCHANAN.) You say that you exercised moral suasion with these men. What men do you refer to?—A. Men that went to work since the strike; that is, since the strike has been declared off.
- Q. Men that were working for the company and had taken the places of strikers?—A. Yes, sir.
- Q. And how many did you visit?—A. About twenty-two or twenty-three.
- Q. And where did you see them?—A. Saw them on the streets, some of them coming from the shops, and some of them came to our assembly.
- Q. Did you visit them in the shops and on the company's property?—A. No, sir.
- Q. What was the character of the inducement you used with them which you say was moral suasion?—A. We offered to assist them pecuniarily, and take care of them in case of sickness, provide medicine and a doctor, and stated the case to them, how we were situated; that they were taking the places of honest men and good workmen.
- Q. What shape did the offer of pecuniary assistance take; was any particular amount stated?—A. No, sir; no particular amount.
- Q. Nor any length of time during which you would assist them pecuniarily?—A. No, sir.
- Q. Was a fund raised for that purpose?—A. Well, there was a fund raised; there was an official fund for that.
- Q. And you had authority to apply it for that purpose?—A. Yes, sir.
- Q. And how long did you promise pecuniary assistance?—A. I cannot tell you particularly.

Q. Did you not induce some men to quit work?—A. Yes, sir; we did.

Q. About how many?—A. I cannot tell; from twenty-two to thirty before that; there were some afterwards, and I do not know how many.

Q. (By Mr. PARKER.) What was your birth place?—A. Natchez, Miss.

Q. Where did you serve your apprenticeship?—A. At New Orleans, La.

Q. I understand you were present at the time when the sheriff appointed you and six others?—A. Yes, sir.

Q. Did you ask the sheriff to appoint more than seven?—A. No, sir.

Q. How many were there belonging to your assembly at the time?—A. Well, there were between two hundred and fifty and three hundred.

Q. Did you not know that seven men could not guard all that property?—A. I did not know; I never gave it a thought.

Q. Do you not know that seven men were not sufficient to guard that property?—A. I say no. I thought that was left to the judgment of the sheriff.

Q. Did not you seven assume to protect the property?—A. As far as we could in our power.

Q. Was there any suggestion between you and the sheriff that seven men were not enough to protect that property?—A. I thought that would be a sufficient number.

Q. Does it not appear as though you seven men obtained that appointment for the purpose of preventing the appointment of other men who would protect the property?—A. No, sir.

Q. I present that to you so that you can make any explanation you wish to make. That would be the natural inference drawn if there is no explanation made.—A. I said the explanation given about it was that it was for the benefit of the order as well as for the benefit of the company—to protect both parties mutually. That it was to protect the order if any depredations were committed by outsiders, to prevent them.

Q. But how does it protect the order if you do not take enough men to protect the property?—A. As I said, I left that to the judgment of the sheriff.

Q. Was not that judgment given to the men who asked to be appointed?—A. I cannot say.

Q. Did you not agree to protect the property?—A. As far as it lay in our power.

Q. And you allowed the property to be destroyed all around you?—A. I did not allow it.

Q. Did one of these men report to the sheriff, as far as you know, any act of this destruction of property?—A. No, sir; there was no one; only talk among ourselves and it was reported in the morning. There was a portion of us on guard part of the night.

Q. And that night when the first damage was done, how many of you were on active duty?—A. I believe there was three the fore part and three in the latter part of the night.

Q. What part of the night was the damage done?—A. So far as I know it was all around. The engines were scattered all around.

Q. During the fore part of the night, where were the four men?—A. There were only six of us altogether at that time.

Q. Then where were the three that were not on active service that night?—A. I suppose they were resting.

Q. Where?—A. In their rooms in Little Rock.

Q. At their boarding places?—A. Yes, sir.

Q. Only three men were on the whole property then at the time of the damage and at the time the depredations were committed—there were only three actually guarding that whole property?—A. Yes, as far as I know. I was not on duty at the time of the depredations.

Q. And there were three men on duty on that part of the night?—A. And three others on the other part.

Q. Was there one watch of three men all night?—A. Yes, sir; eight hours off and eight hours on.

Q. And that seven of you had assumed before the committee and before the sheriff to guard that property and protect it, and of that number three of you assumed to guard all that property, four in one watch and three in another?—A. We had not four in one watch; there were two of us on duty at a time.

Q. Then there were only two there at a time?—A. That is the way of it.

Q. Two on watch at a time?—A. Yes, sir; two on watch at a time—at eight hours each.

Q. These two men assumed to take charge of and watch all that property?—A. Not altogether. There were hostlers all around there. There were five or six hostlers, and that was enough to guard, with the night watchmen, making seven or eight men.

Q. But so far as you sheriffs go, of the seven men only two watched; is that the fact?—A. Yes, sir; one of them dropped out on the third day after he was commissioned.

Q. He was appointed?—A. Yes; he was appointed and sworn in, but dropped out after he was appointed.

Q. Then you divided it into relays of two each, and then left a watch of two at a time?—A. Yes, sir.

Q. These two men assumed to protect the character of the order, in preventing it being charged with depredations committed there?—A. The night watchman and the hostlers were there at the time these men were on watch, and we had to have time to get rest.

Q. You had only two of your men there at a time?—A. Before we were there all the time, for four or five days.

Q. How many were there the night that the depredations were committed?—A. There were four of us there that night.

Q. That night the first depredations were committed, when there were several engines killed; the first night?—A. There were four on watch.

Q. Where were they?—A. In the round-house and outside on the track, and round-about.

Q. How near were the engines that were killed?—A. Right about amongst them. The first I saw of the damages was after they had been committed; I did not see any done.

Q. You did not know who did that?—A. No.

GUSTAV ANDERSON sworn and examined.

By Mr. PARKER:

Question. What was your occupation at the time of the strike on the railroad?—Answer. I was night watchman.

Q. Where?—A. At Baring Cross shop.

Q. When were you laid off?—A. I worked to the 26th of March.

Q. For what reason did you stop work?—A. I went there on the 26th of March in the evening, and I there met Sheriff Williams. He told me he did not want me any more till the strike was over. I went into the master mechanic's office and saw the chief clerk, and asked him the reason why I was let off, and he said he did not know any reason, only that it was for a few nights during the strike.

Q. After the strike was over did you resume work?—A. When the strike was over I went to the master mechanic, and he said he had given a man my place, and that he could not trust me any more because I was in the order, I being a Knight of Labor.

Q. Who was that master mechanic?—A. Mr. Richardson.

WILLIAM HENRY HOLMAN sworn and examined.

By Mr. BUCHANAN:

Question. Were you in the employ of the Iron Mountain road at the time of the strike?—Answer. Yes, sir; I had been working for them since 13th of June, 1883.

Q. In what capacity were you employed at the time of the strike?—A. As fireman.

Q. Did you go out on the strike?—A. No, sir.

Q. How long did you work for them after the strike?—A. I have not worked for them since the 13th of January. I got hurt at that time, and have not been at work since.

Q. How were you hurt?—A. I fell off an engine at Texarkana.

Q. Did you apply for work when the strike was declared off?—A. The strike had nothing to do with me. Firemen had nothing to do with that.

Q. Have you applied for work?—A. I applied for work on the 20th of April.

Q. To whom did you apply?—A. To the engineer dispatcher, Mr. Purcer, foreman of the round-house, who has charge of the firemen in Argenta.

Q. What reply did you get?—A. I told him I was ready for work. He marked me up, and that evening I came over home and prepared my basket and everything, and the engine came over and I saw another fireman. I started down to the engine and I saw another fireman there, and went back to see, or rather Mr. Purcer came over here, and I saw him; I asked him when I could see him, and he told me "next morning." I went over and saw Mr. Richardson, the master mechanic, as Mr. Purcer said he wanted to see me. I asked him if he wanted to see me. He did not seem to understand me when I first approached him, and I told him that Mr. Purcer told me to see him. He said, "Were you a member of this organization of Knights of Labor?" I told him I was, and he said, "I do not want you." I asked him what was the trouble. "I understand," he says, "that you have been attending these meetings, and if you have, you know that you have to work for their interest, therefore you cannot work for both parties at the same time."

Q. What reply did you make?—A. I had no reply to make to that.

Q. You have not been taken back?—A. No, sir. I did not know that it was Mr. Richardson's business, but the way that I understood him, I was out, and I thought that that was all that there was about it.

Q. What did you say to him when he mentioned that to you?—A. I told him I had never served on any committee. He said he understood I had told a man not to work. He is a boy that was raised in the family about ten years. When he came here at the time the man left the freight house, he told me he had got a job down there, and that he was going down to work in the freight house, I advised him not to go. I did that because he was raised in my brother's family. I told Mr. Richardson that the boy belonged to the family, and I did not want to have him get into trouble by getting employed at that time.

Q. Was he satisfied, or did he still keep you off?—A. He has so far kept me off. I asked the foreman for work, and he said Mr. Richardson said he had nothing for me.

FREDERICK MACK sworn and examined.

By Mr. BUCHANAN:

Question. Were you employed by the Iron Mountain road at the time of the strike?

—A. I was.

Q. Did you go out on the strike?—A. I did.

Q. What were you doing?—A. I was in the bridge and building department.

Q. What have you to say about traveling on Sundays and at night?—A. I was called quite often on Sundays and at nights and without any compensation. We would start out on a Sunday night train, work all night, and only get nine hours' work.

Q. Including the traveling on the Sunday and working at night; how often did that occur?—A. It occurred several times.

Q. Did you complain of this to any one?—A. No, sir; it is rather hard to kick against the pricks.

Q. Did you complain to any one?—A. Only to the foreman of the shop; I did not go to the head of the department.

Q. You did complain of it to the foreman; who is he?—A. Mr. Moore.

Q. What was done?—A. Nothing.

Q. How often did you speak to him about it?—A. I think only once.

Q. Did you ask him to forward the complaint to any one?—A. I think he sent it to Mr. Kerrigan, but I cannot remember.

Q. Did the men in that department generally do that work?—A. Yes, sir.

Q. And that was generally the practice of your foreman?—A. Yes, sir; we sent a couple of these petitions forward.

Q. How often did you complain about that practice, and have you any additional information on that point?—A. These petitions that we sent forward for adjustment were on the point that I have spoken to you about before. We would leave here, say at 3 o'clock on Saturday, and our time was out at 4 o'clock. Well, we would get there and go to work at 12 o'clock on Saturday night, and come back on Sunday morning and get one hour for it.

Q. Was that a general practice of that department, so far as your observation goes? and did it extend to other men than yours?—A. Well, it was the practice to send them out on any occasion it appeared that they needed them.

Q. You mean others besides yourself, and about how many men would that include?—A. The whole bridge and building department.

Q. How many men do you say?—A. I suppose thirty or forty men in that department.

Q. How many, as a rule, were sent out on these overtime runs?—A. They were all sent out on these same grounds, and were sent out at night to save time.

Q. I simply ask you how many were sent?—A. I should think there were forty in that department.

Q. Was the whole department sent out?—A. That was the custom.

Q. Had you any understanding with the general foreman about being allowed for extra time?—A. No; we were not allowed any extra time.

Q. Had you any understanding that you were to be allowed extra time?—A. No, sir.

Q. And now these complaints that you speak of, that were sent to Mr. Kerrigan, were they signed by the men in the department and other Knights of Labor?—A. They were signed by the men.

JOSHUA HILL sworn and examined.

By Mr. BUCHANAN:

Question. Were you in the employ of the Iron Mountain Railroad Company at the time of the strike?—Answer. No, sir.

Q. What is your occupation?—A. I am a printer by trade.

Q. Have you ever been in their employ?—A. No, sir.

Q. These questions are suggested for me to ask of you. Do you know of any grievances of any employé of the Iron Mountain Railroad?—A. I do, sir; in the bridge and building department and the sectionmen; I know of their grievances.

Q. What do you know of them?—A. The calling of men out on the line and running them to parts of the road so as to save time in working hours, and they would not allow them for the time they were traveling, keeping them after hours.

Q. How do you know this?—A. By grievances presented by the men themselves.

Q. You have no personal knowledge?—A. No, sir.

Q. You have never seen the trains start out with the men after working hours?—A. I have never seen the trains start.

Q. You have no personal knowledge of the fact?—A. Just their statement.

Q. Then your information is limited to the fact that these men did make and present these grievances to the local board of the assembly of which you are a member?—A. Yes, sir.

Q. They passed through the office and were sent up to you?—A. They were handed to our chairman to be read before the district.

Q. Have you any personal knowledge as to whether these grievances were forwarded to any official on the road?—A. Well, no further than they were handed to the chairman, and that they were sent there. That was his statement.

Q. The trouble is here. We understand Mr. Kerrigan is the man to whom these statements would in the natural course of events have arrived eventually; am I correct about that?—A. That is owing only to the circumstances; if he would receive the committee he would know it of them.

Q. Did he know of it?—A. He did not receive them; that is the statement to me.

Q. Do you know that this committee would not forward these grievances unless they were received in person?—A. I do not suppose they would let them go out of their hands.

Q. If a member of the order presents a grievance, which is placed for action in the hands of the local board, it is referred by the local board to whom?—A. It depends on the nature of the grievance as to whether they go any further or not.

Q. The grievances then would stop, as far as you know, with the local board?—A. They would go to the executive board of the local assembly; they would then have control of them afterwards.

Q. (By Mr. BUCHANAN.) Then, as I understand, when these individual grievances are presented by these individual members they are referred by your board to the chairman of the board of the district; but you do not know that they have passed through his hands. It is affirmed on one side that these grievances were presented, and denied by the other that they were ever received, and it seems important that it should be shown that through this intricate machinery these grievances were actually presented to the officers of the road, if you can possibly do so. Do you belong to any other labor organization?—A. I do.

Q. What?—A. The printers' union.

Q. What information have you as to why the strike on the Iron Mountain road was ordered?—A. Well, it was these grievances that they had, and also because the company had violated the agreement with the employes of 1885.

Q. How do you know that?—A. That is the statement made about the agreement by the men. I am not a railroad employe, but that is my opinion from the men direct.

Q. Have you any knowledge, based on your own official act or knowledge, which would enable you to state definitely the causes of the strike on the Iron Mountain road? If so, please state what it was.—A. Well, it was from the men getting a reduction of wages, and the wages not being restored, and the grievance that I stated of the bridge and building department, and the section hands.

Q. Now, do you know that they were the causes of the strike?—A. Well, that is part of them.

Q. How do you know that they constitute part of the causes of the strike?—A. They were presented to the board here for approval, but as to whether they were or not I do not know.

Q. And did you see the order for the strike?—A. I am not positive about that.

Q. Did the order specify these as the cause for its being issued?—A. The order would not assign the reason.

Q. Did it?—A. Not that I know of. I say I do not know. The order for the strike would not be so explicit.

Q. Do you say that the order would not be so explicit? Would not this order for the strike give the cause for its issuance?—A. Not when the order is given to strike.

Q. It is simply a peremptory order, assigning no cause?—A. The cause is alleged before; the causes are made known before the time is set and the strike is ordered.

Q. Does the order for the strike assign within itself any cause for being issued?—A. Not within itself.

Q. It is simply a peremptory order to strike, without assigning any cause for it?—A. Well, it is understood; there is nothing explained.

Q. Please answer yes or no.—A. I am unable to answer that way. The question is put in such a way that I cannot answer it yes or no and fit it.

Q. I will ask it in such a way that it will be impossible to misunderstand it. Is

the order for the strike peremptory and without any cause for its issuance being stated therein?—A. That I do not know.

Q. Why do you not know; have you never seen one?—A. I do not know that I have.

Q. Of course if you have not seen any order you do not know what it would contain. Are not all causes for the issuance of an order for the strike first submitted to the local assemblies for their determination as to their sufficiency or not?—A. Yes, sir.

Q. Is that vote sometimes sent forward without the result of the vote being declared to the assembly?—A. Well, not to my knowledge.

Q. Please state how many votes for the redress of grievances of men on the Iron Mountain road passed through the hands of your board prior to the date of the strike.—A. Only one that I was present at that I can testify to—one petition sent up by the bridge and building department.

Q. That passed through the hands of that board at what date?—A. The exact date I do not know.

Q. Approximate the date.—A. It was somewhere near the first of the month.

Q. What month?—A. The month that the strike was declared.

Q. Somewhere near the first of March last?—A. It was between the 1st and 12th; but when it was I do not remember.

Q. And to whom was that delivered?—A. To the chairman of the executive board.

Q. What is his name?—A. I am not at liberty to tell.

Mr. BUCHANAN. I do not press for an answer, but make this statement, that it is explicitly denied by the railroad officials that these grievances reached them. We are trying to trace these grievances and to find out where they stopped between the party aggrieved and the railroad officials. We have traced them into the hands of a man whose name you fail to reveal, and we are thereby precluded from finding where these grievances stopped, and are prevented from ascertaining whose claim is correct—the claim of the order or the claim of the railroad officials.

The WITNESS. Well, the man is well known, so far as I know, as the chairman of the local board. I suppose you would know him as well as I do.

Q. (By Mr. PARKER.) What is the number of your local assembly?—A. 3640.

Q. Is it attached to any district?—A. It is attached to district No. 101.

Q. That is the district that commenced to strike?—A. Yes, sir.

Q. Do you know of Martin Irons being at Marshall about the time of the strike, and being here also?—A. About the time of the strike?

Q. Yes, sir.—A. He was through here previous to the strike some time.

Q. How long?—A. About fifteen or twenty days; I am not positive.

Q. At the time of the strike, the cause of it was talked over among the members of your local assembly, was it not?—A. Not in the room; it would have been in the assembly.

Q. I asked you whether it was talked over among members of the assembly?—A. From my personal knowledge I can say yes.

Q. Was one of the causes of the strike, as it was talked over, understood to be the discharge of Hall?—A. Not so far as I know.

Q. Was one of the causes of the strike, so far as you know, a claim that the receivers of the Texas and Pacific road had not treated the committee of the executive board of District 101 with sufficient courtesy and attention?—A. Not with me.

Q. I am not asking you that.—A. I cannot say as to any one else except myself. There was nothing of the sort where I was.

Q. Then you say, as an officer of that assembly, that, as far as you have knowledge, the treatment of the executive board of District 101 by the receivers had nothing to do with the strike?—A. No, sir; I do not make any such statement. I say so far as my personal knowledge goes I do not know anything about it.

Q. That was not a cause of the strike as far as your personal knowledge goes?—A. No, sir.

Q. And as far as your personal knowledge or information goes the discharge of Hall and the failure to reinstate him was not a cause of the strike?—A. That is my personal knowledge.

Q. And so far as you know or believe it was the other grievances that you have mentioned?—A. Yes, sir.

Q. How long have you been a member of the order?—A. Ever since last August.

Q. Was not this strike a mistake?—A. I cannot say that it was.

Q. Can you say that it was not?—A. Well, if you want my idea about it I can tell you from my personal knowledge. As far as my opinion goes, I think that the strike was just and right.

Q. Was it a success?—A. No, sir; I do not suppose it was a success.

Q. Has it benefited anybody?—A. I do not know that anybody is, individually or collectively, benefited by it.

Q. Have many been injured by it?—A. To some extent; yes, sir.

Q. Do you understand that the fund out of which the wages of the railroad employes, the workmen, were paid, is made mainly from the freights paid to the railroad by the business men of the country?—A. Not exclusively.

Q. Mainly?—A. Mainly; yes, sir.

Q. Do you believe that these men had the right to strike upon the causes you have given without giving any warning or notice to the business men of the country whose business was thrown into confusion by the strike?—A. I do, sir.

Q. (By Mr. BUCHANAN.) But you do not justify violence to person or property in a strike?—A. No, sir.

Q. In no instance?—A. No, sir.

Q. Have you denounced such violence where you have heard of it being done?—A. I have in conversation.

WILSON KAVANAGH sworn and examined.

By Mr. PARKER:

Question. What was your position on the railroad?—Answer. I was working on the pile-driver; also as a foreman whenever the foreman was sick.

Q. When men were discharged what was the custom as to paying them?—A. Well, the custom was when they were not satisfied with him to let him have from two weeks to ten days' notice before he was discharged, so that he could get his time sent in and draw his pay.

Q. They got ten days' notice and then their money was ready?—A. I was discharged here and my time went in, and I had to wait five days for my time, and two days after the check came.

Q. So that you had to wait seven days on expense before you could get your pay?—A. Eight days.

Q. For what were you discharged?—A. The foreman got an order that we were getting too much wages. The foreman was told by the general foreman that he was paying me and other men too much wages, and I was discharged.

Q. Were you offered an opportunity of working at reduced wages?—A. No, sir.

Q. He discharged you peremptorily?—A. Discharged for disobedience, I suppose.

Q. What disobedience?—A. Well, the foreman told me to do something or other and I was not able to do it, and he told me if I did not do it I could quit.

Q. Then you were not discharged really for being paid more wages than the company wanted to pay men in your place?—A. But that order coming from the general foreman I thought it looked that way.

Q. What was it you were required to do which you did not do?—A. I was trying to set a pile and I could not do it as quick as he thought I ought to, and he discharged me.

Q. You talked some, and he talked some, and he discharged you?—A. Yes, sir; we had some words.

Q. But you were not being discharged to reduce the wages?—A. That was the same thing.

Q. You were not, then, discharged for that?—A. It was understood that he was to get rid of us anyhow.

Q. What extra time were you allowed when you removed your driver at night or on Sundays?—A. None at all.

Q. Were you often required to move at night or on Sunday?—A. The first seven months I was on the Iron Mountain Road, I think, we lay on the side track the amount of three nights at one time.

Q. That is all?—A. That is as near as I can recollect.

Q. You were changed to somewhere else?—A. All the time.

Q. Now, how much of your traveling was at night and Sundays. How many times in a week?—A. Sometimes three times a week, sometimes four times, and sometimes more.

Q. Did you make any statement of your time for traveling on nights and Sundays?—A. I did not make any, because there was no use claiming it.

Q. Did you present it as a grievance?—A. Nothing more than verbally.

Q. Are you a Knight of Labor?—A. Yes, sir.

Q. Did you present it to your assembly?—A. Yes.

Q. Did they present it to the company?—A. I do not know.

Q. When working in wash-outs or water were you allowed extra time?—A. Straight time.

Q. How when you worked at the Red River bridge?—A. When I went to work there?

Q. You were working in the water?—A. I went to work there about 4 or 5 o'clock and worked until about 7 or 8 o'clock in the evening, and got fifteen hours.

Q. How many hours did you actually work?—A. They allowed just the time we worked, generally; but I did not get as much as I worked.

Q. Were you kept waiting for piling on the side track without being employed?—A. Yes, sir.

Q. How long?—A. About seven days.

Q. At what place?—A. At Merino.

Q. Who lost the time?—A. The men did.

Q. How many were there?—A. I think there were seven of us; one was at the hospital.

Q. Seven men were kept waiting there for piling to be got by the company, and without fault on the part of the men?—A. Seven men did not get paid any time. The engineer, the fireman, the conductor, and brakemen got time, but the builders got nothing.

Q. They did no work and got no pay?—A. We were supposed to be the regular hands.

Q. Were you boarding yourselves?—A. Yes, sir.

Q. What wages were you receiving during this period?—A. Two dollars and twenty-five cents a day.

Q. How much were you receiving at the time of the strike?—A. Two dollars and forty cents a day.

Q. Did you go out on the strike?—A. Yes, sir.

Q. Have you applied to be reinstated?—A. Yes, sir.

Q. At what wages?—A. I did not ask for any wages. I just went and asked for work.

Q. What answer did you get?—A. The foreman said he had all he needed.

Q. That was all that was said to you?—A. That was all.

Q. How long did you work on February 21 and 22?—A. I worked from 7 o'clock in the morning to 6 the next morning for 9 hours' pay.

Q. Was that all they allowed you for that time?—A. I was allowed for the time in Baring Cross yard and the balance of the time running to Poplar Bluff.

Q. The foreman knew the time you were there?—A. Yes, sir.

Q. Did you make complaint to your superior?—A. Our superior gave us orders that we should not have any time except when we were actually at work. The running time we could get nothing for.

Q. Did you present that as a grievance to your assembly?—A. Yes, sir.

Q. What action was taken on it?—A. Action was taken by the local assembly, and it was sent on.

Q. You understand it was sent on, but you do not know anything about it?—A. Yes, sir.

Q. What was the ground of your strike?—A. My ground of strike was on account of those grievances.

Q. That was all?—A. That was a great deal.

Q. Was not your real ground for the strike because you understood that the head of your order, as far as your local assembly was concerned, ordered the strike?—A. Whenever the head of the order calls a strike I believe we ought to do it.

Q. That was a ground which you had, and if these grievances were not redressed would you not have gone on a strike to remedy them?—A. Yes, sir; I would have hunted another job.

Q. Then you would have struck. Was Hall's discharge one of the grievances?—A. Hall's case? Yes; that was a grievance.

Q. You understood that the receivers of the Texas and Pacific Road failed to treat Martin Irons, and those who were acting with him, with the respect that they thought they were entitled to?—A. No, sir; I was out on the road, and I heard nothing about it.

Q. (By Mr. BUCHANAN.) What time was this work on the Red River bridge of which you speak?—A. I think it was in April or May.

Q. This conversation you had with your foreman at the time you could not get the pile straight, was it in a friendly spirit?—A. Not very; no, sir.

Q. Were angry words used?—A. Yes, sir.

Q. What were they?—A. He says: "God damn you, if you cannot do that quicker let the pile alone and I will get them that can."

Q. What was your reply?—A. Get them and be damned.

Q. Where were you born?—A. I was born in Philadelphia, Pa.

JOHN CLAGNE sworn and examined.

By Mr. BUCHANAN:

Question. Did you go out on the strike?—Answer. Yes, sir.

Q. What was your occupation up to the time of the strike?—A. I was foreman of the bridge and building department.

Q. Were your men allowed for all overtime they worked?—A. When they worked, yes, sir.

Q. Were they allowed for night and Sundays, or when moving on the road?—A. No, sir.

Q. They were simply allowed for the time actually at work?—A. Just the time actually at work; yes, sir.

Q. On what part of the Iron Mountain Road did you work these men?—A. From Little Rock to Texarkana.

Q. How many men had you under you?—A. Six to February, and then seven.

Q. Was there any talk among the men about pay for overtime?—A. They asked me and I asked Mr. Martin, the general foreman.

Q. Outside of that you did nothing toward securing pay for their overtime?—A. No, sir; I had no orders.

Q. Outside of that you did nothing to secure them pay for overtime?—A. I just told him that the men wanted overtime for riding nights and Sundays, and he said he could not give it, as that was his orders.

Q. I was trying to find out if it was on your section that this petition that was spoken of by a former witness was got up?—A. I did not hear of it.

Q. No petition was sent up by your men?—A. No, sir; not by my men.

Q. Have you any knowledge as to how many fires on bridges or trestles occurred upon the Iron Mountain Railroad during the strike?—A. On my division we had one.

Q. Extending from Little Rock to Texarkana. Where?—A. It was 201; two miles north of Gordon's.

Q. On what date?—A. I cannot exactly tell the date.

Q. Did you visit the trestle after that?—A. Yes, sir; I saw pretty near the first of it. I saw that 42 feet of it were burned out. I took my men and went with my cars from Hope down to Gordon.

Q. Did it burn from above or below?—A. It started right on the joint of the stringers.

Q. Did the bridge burn from the upper side or the lower side?—A. Down-stream.

Q. Did the fire originate on the top of the bridge or below?—A. It started on the top; from the stringers.

Q. What have the inspectors of bridges told you about the general condition of the trestles in regard to your watching those that might catch on fire?—A. I had instructions to get over the bridges as quickly as I could and do away with all fire traps, and to put in new work.

Q. When did you receive this instruction?—A. When I first came on the road; I commenced with the Iron Mountain Road, as foreman, a year ago the 13th of January.

Q. And had you pretty well gone over them before the strike; taking out the fire-traps?—A. No, sir; it would take two or three years to do that with seven men.

Q. Has the general foreman also called your attention to the danger of fire and the necessity of keeping these bridges and trestles clear of drift?—A. Yes, sir.

Q. By that you mean logs that would lodge against the bridge?—A. Yes, sir; lodging there.

Q. In time of high water they would lodge there, and in dry weather would become inflammable?—A. Yes, sir; they would catch on fire.

Q. This question is handed to me: Did not Knights of Labor repair this bridge?—A. Yes, sir; the Knights of Labor repaired it.

Q. At the time you refer to, was the strike going on?—A. Yes, sir.

Q. What do you know about the frequency of fires on the road?—A. They are frequent. There was not a week that I was not called out once or twice. One day I was called out to two fires.

Q. What is your observation as to their comparative frequency before or during the strike?—A. I have only heard of one in my division during the strike.

Q. Do you know of any record of the company kept as to these burning trestles?—A. Yes; a record is kept in the bridge and building department by the foreman. I think he keeps a record of them.

Q. Were you at the Baring Cross bridge at the time of the flood, when a span was being erected?—A. Yes, sir.

Q. What did you see there?—A. There was a lot of drift there.

Q. What time was that?—A. I think in September sometime, as closely as I can recollect; last September.

Q. Did you men, while the work was in the hands of the Union Bridge Company, work on it and receive double pay for it?—A. Yes, sir.

Q. Where is the Union Bridge Company located?—A. I do not know that.

Q. What bridges were they building?—A. They were working on the Iron Mountain Road at Baring Cross bridge; they were working for the Iron Mountain Road, but the Union Bridge Company allowed them double time, and they received it from the company.

Q. Did you receive it?—A. Yes, sir; I know that.

Q. Did you ever receive any instructions about allowing your men time and a half?—A. I had orders to give my men time and a half for all overtime when they actually worked, but when I was moving from place to place at night or on Sunday not to give them any time; and I had strict orders to move as much at night as I possibly could.

Q. Were they in writing?—A. They were in writing.

Q. Can you produce them?—A. I am not in the employ of the company now, and I did not take my papers over to the office.

Q. Who was it signed by?—A. N. A. Martin. He was general foreman then.

Q. That order contained an instruction for you to move your men as much at night and on Sundays as possible?—A. Yes, sir; and allow them no time except for actual work.

Q. When did you last see that order?—A. I quit on the night of the 6th, but I got orders from N. A. Martin to go to the trestle 691, twenty-five miles from here. It was reported in bad order, and I took my men and went down there Saturday night, and found it all right; I got back to Hope about 3 o'clock on Sunday morning, and these men were not paid for that time.

Q. When did you last see that order?—A. The last I saw of that order? I had not looked over the papers for a week; it was among the orders.

Q. When and where did you last see that order, signed by Mr. Martin, requiring you to run your men as much at nights and Sundays as possible?—A. I do not know when I saw it; pretty well every week in the car.

Q. What was the number of the car?—A. 611.

Q. Was it posted up in the car?—A. No, sir; it was on file.

Q. On a hook fastened to the side of the car?—A. I had a hook for the purpose and placed it by the side of my desk and could just hook it on and take it off when I wanted.

Q. Who could go in that part beside yourself?—A. My men are there.

Q. So that the order was accessible to them?—A. Yes, sir; they saw the order. They saw all the orders.

Q. Then they saw, and could see readily, that the order signed by the officer of the company required you to run your men as much at night and on Sundays as possible?—A. Yes, sir; also my orders about this time and a half business; and that no man would be allowed to work over 36 hours without rest or something to eat; that was also posted up.

Q. (By Mr. PARKER.) That was the Gordon bridge that was burnt?—A. Yes, sir.

Q. Who was it repaired by?—A. It was repaired by myself and John R. Wilson. We were the two foremen that were there.

Q. You examined it, as you have stated, after it was burned?—A. Yes, sir.

Q. What evidence, if any, did you find of the use of coal oil?—A. I did not see any. It was burned clear out from bank to bank.

Q. Then from your examination you believed there was no coal oil or other oil used to fire any part of the bridge?—A. No, sir; I do not believe there was. There were a few joists that were pretty rotten that I could pull pieces out of, and they had oil on them that had been there two or three years.

Q. (By Mr. BUCHANAN.) Did you go out on the strike?—A. Yes, sir.

Q. What wages were you receiving at the time of the strike?—A. Eighty dollars a month.

LEVI LEEDY sworn and examined.

By Mr. PARKER:

Question. Did you go out on the strike?—Answer. Yes, sir.

Q. What were you doing previously?—A. I worked on the bridge gang; I worked on the gang until the 1st of February.

Q. Where were you working at the time of the strike?—A. At Columbus, Ky.

Q. At the time of the strike?—A. At the time of the strike I was there.

Q. Was there any reduction of your wages while you were at work on the Iron Mountain Road?—A. Well, I got a lay-off a couple of times, and the last time they made a reduction of ten cents; when they laid me off the last time, they made a reduction of ten cents; they laid me off first in May and then gave me a gang again the 1st of August, and I ran on until February, and then they gave me a reduction of ten cents.

Q. How was it as to the other men with you; were they reduced or only yourself?—A. The men that were working for me were all let out.

Q. What do you know about Sunday or night working or moving without being paid for it?—A. Well, I was run, after I got the lay-off on the 13th of February; they started me here on Saturday night and ran me to Barrett's; I got there on the Sunday morning and worked until Sunday noon, and they drew me off again. I got back Monday noon and got nine hours for it.

Q. Did you seek to get more?—A. I asked them in the office for more, but they said that was all they could give me.

Q. What knowledge have you of an order given by the general foreman of the bridge and building department to move the men from point to point on nights and Sundays?—A. I had orders to that effect at first when I got a gang. When I first came here and before I was laid off the first time.

Q. What were those orders?—A. To remove the men as much as possible on nights and Sundays.

Q. What was said relative to it by the men?—A. Nothing was said about it.

Q. It was move as much as possible nights and Sunday?—A. Yes, sir.

Q. From whom did that order come?—A. From N. A. Martin.

Q. Was it in writing?—A. Yes, sir.

Q. Can you give me a copy of the original?—A. No, sir. They called for all papers when they laid me off.

Q. And you kept no copy of it?—A. No, sir.

Q. When working in water were your men allowed overtime?—A. Well, I do not know of their working in water while I was at work with them.

Q. Were you discharged or laid off without notice?—A. Yes, sir; I was.

Q. You refer to these lay-offs. You may mention when they were, and were you discharged at other times?—A. Well, I was first laid off the 6th of May, 1885. Then I was set to work in a gang and then worked until July in the gang and took a lay-off, and was gone two months.

Q. At your own request?—A. Yes; we call them lay-offs. And then I came back last August, and the 1st of September I took a gang out again and ran it to the 2d day of February. I was then on the Camden branch. I was ordered to bring in my men and discharge the men at once. I came in here about the 13th, and Mr. Martin called on me and several others that were laid off, to go to Bird's Point, and when they laid us off they gave us our time and still took us there, but said we could not work in that month. Martin told us that. In the month of February. So after we came back we got nine hours for the trip, and a couple of them did not get anything.

Q. You consider that that is a violation of the agreement of March 15, 1885?—A. Yes, sir.

Q. In moving were you in boarding cars?—A. Yes, sir; all except this trip that I made to Bird's Point. I went on the passenger train.

Q. And slept in your berths, I suppose?—A. Yes, sir.

Q. You could sleep in your berths while the cars were moving?—A. You could not sleep very well in one of these cars. The road is too rough. I have tried it a good many times.

Q. You claim that when you were at work you should receive regular time for regular hours, and if you rode you should receive for it time and a half?—A. I think we should have time for the time we rode.

Q. Do you know whether these matters were presented as a grievance and sent to the officers of the company?—A. I cannot say. I was not here at the time the grievances were made out.

Q. Were you employed at the time of the strike?—A. Yes, sir.

Q. But not on this road?—A. I was working for the Iron Mountain Company. I went to work on the 1st of March.

Q. You went out on the 6th?—A. Yes, sir.

Q. Have you made application for work since?—A. Yes, sir; and they said they had all the men they wanted.

LEE POARCH sworn and examined.

By Mr. BUCHANAN:

Question. Where did you work at the time of the strike?—Answer. At the freight house on the Iron Mountain Road.

Q. Are you a Knight of Labor?—A. No, sir.

Q. Did you receive pay for overtime at all times?—A. No, sir.

Q. Have you ever received pay for overtime?—A. The working foreman generally got down there about half-past seven or eight o'clock, and he worked us until he got through.

Q. When did you go to work?—A. I went to work last October a year ago.

Q. What were your hours for work each day?—A. Well, our hours for regular work were about thirteen hours.

Q. What did you do?—A. Trucking and loading and unloading freight.

Q. When did you usually begin work?—A. About half-past seven to eight o'clock in the morning.

Q. And when did you quit work?—A. From 8 o'clock until 9 o'clock.

Q. Was that a usual thing?—A. Yes, sir.

Q. How long did you stop for dinner?—A. One hour.

- Q. How long for supper?—A. We did not get any supper until we quit.
- Q. Was that every day?—A. Yes, sir.
- Q. What pay did you get?—A. One dollar and twenty-five cents a day.
- Q. How long have you been working for the company?—A. Since last October a year ago with the exception of about two months.
- Q. Did you ever work on a section?—A. Yes, sir.
- Q. Did you receive pay for that?—A. Yes, sir; I received \$1.25 a day. We got time and a half for Sundays while Mr. Johnson was there, and Mr. Bover came in and he cut off time and a half.
- Q. How long ago was that?—A. That has been about two months ago.
- Q. How many Sundays did you work the last year?—A. I expect twelve or fourteen, as near as I can tell you.
- Q. Are you in the employment of the road now?—A. No, sir.
- Q. Did you go out on a strike?—A. Yes, sir.
- Q. What were you supposed to have received for pay for over-time?—A. Mr. Brock allowed us 12½ cents.
- Q. How much did Mr. Jackson allow you?—A. The same.
- Q. And Mr. Bover?—A. The same.
- Q. For how long a time has that been the case?—A. Ever since I have been down there.
- Q. About how long has that been?—A. About five months ago.
- Q. And up to the time of the present strike?—A. Yes, sir.
- Q. What is the price of ordinary labor in Little Rock?—A. The freight-house pays \$1.50 a day; I cannot say what the wages are in town, or anything of that kind.
- Q. You were employed at the freight-house, but you got \$1.25?—A. The Memphis and Little Rock Road paid \$1.50, the Iron Mountain paid \$1.25.
- Q. You do not know what general labor is paid?—A. I do not know.
- Q. (By Mr. PARKER.) How much have you earned since the strike commenced?—A. Nothing at all.
- Q. Have you ever got \$1.50 or \$1.75 a day?—A. No, sir; I simply held out for the laboring man. They called me out, and I felt like straying with them.
- Q. (By Mr. BUCHANAN.) Have you sought work in this labor market, or railroad work where men receive \$1.50 or \$1.75 a day?—A. I do not want any at present.
- Q. Why not?—A. Simply because I do not want to work while it is so hot.
- Q. Do you lay off during the heated portion of each year?—A. Yes, sir.

WALLACE W. WILSON sworn and examined.

By Mr. PARKER:

Question. Were you watchman at Red River upon the Iron Mountain Railroad at any time?—Answer. Yes, sir; I commenced there the 1st of July, 1885, and left in October, 1885.

Q. Why did you leave?—A. Just an order for me to leave by the bridge and building department.

Q. It was a removal, as you understood?—A. Yes, sir.

Q. What were you removed for?—A. I could not find out.

Q. Have you ever learned what was the cause?—A. No, sir.

Q. What were your duties?—A. To keep the draw in order and watch the bridge generally; twenty-four hours' watch; I was to see the bridge after all trains passed, and make a report of all high water and drift, &c.

Q. How long were you upon the bridge?—A. I was there nearly all the time from July 1 to October 25.

Q. Had you an assistant?—A. No, sir.

Q. How much time each day did you spend on the bridge?—A. Twenty out of the twenty-four hours.

Q. Who had charge of the other four hours?—A. It was left without a watchman because no trains were running.

Q. You took your sleep while no trains were running?—A. Yes.

Q. What pay did you receive?—A. Sixty dollars per month.

Q. Were you ever in the hospital?—A. Yes, sir.

Q. When was that?—A. From May till June.

Q. What was the trouble with you there?—A. I had rheumatism from working in the Red River the latter part of April.

Q. Did you remain there until you were well?—A. No, sir; I was discharged, because they could not do me any good I suppose.

Q. Were you discharged on the advice of the physician?—A. Yes, sir; he had done no good for me, and did not think he could.

Q. Do you claim that your discharge as a watchman was in violation of the agreement of March 15, 1885?—A. Yes, sir.

Q. On what grounds?—A. Without notice or without any cause.

Q. You claim that you should have had notice or some excuse?—A. They could give me some reason, and gave me no notice.

JAMES F. HANFORD sworn and examined.

By Mr. PARKER:

Q. Where do you reside?—A. At Beattyville.

Q. How far is that from Little Rock?—A. About 80 miles.

Q. What is your business?—A. I am in the lumber business.

Q. Are you familiar with the lumber business done on this road?—A. Yes, sir.

Q. And have been for some time?—A. I have several mills

Q. Can you tell me about the amount of lumber annually handled upon the road, or any portion of it?—A. Only about our own. We handle about 800 cars a year.

Q. From what points is the shipping of lumber done?—A. From the South to the West.

Q. Are there lumber mills along a large portion of the road?—A. The mills are on an average two or three miles apart.

Q. What is the lumber cut?—A. Yellow pine and oak.

Q. And for what markets?—A. For the Western market.

Q. What dimensions are cut?—A. Cut in building material and flooring, and bridge timber, and such stuff as that.

Q. Is it shipped to other States?—A. It is shipped to Kansas, or the greater portion of it.

Q. Give me your idea of the number of men employed in that business upon this Iron Mountain Railroad.—A. If I give about 40 men to a mill, I guess there will be 3,000 men among all the mills from here to Texarkana.

Q. And from here North how is it?—A. I am not acquainted with the mills North.

Q. What was the effect of the strike upon the employment of these men?—A. Well, all of ours were laid off; and I understand the rest were, too.

Q. Would you judge that to be caused by the strike?—A. We could not ship anything.

Q. You may explain the effect of the strike upon the lumber business and the men employed.—A. It was very detrimental to the lumber business while the strike was on. Some of them had to turn their cattle out, for they could not get feed there on account of the trains not running, or provisions, and it stopped the lumber business.

Q. How as to the shipment of lumber?—A. That was very detrimental, for we could not ship it.

Q. How was it as to the stoppage of orders?—A. If we cut to orders we could not fill them on that account, and the consequence was that they had to go elsewhere for their lumber.

Q. What effect had the fact of their going elsewhere?—A. It had this effect. They got their orders filled, and we missed the season's business by it.

Q. Did the season promise well?—A. If promised better than usual.

Q. What proportion of mills are there, comparatively, north and south of Little Rock?—A. Well, there are a great many more south than north.

Q. How far north does this lumber business extend upon that road?—A. I do not know the northern part of it; I am only acquainted with it about Beattyville.

JOHN C. WEED recalled and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. At Texarkana.

Q. Have you been engaged in the lumber business in this State?—A. Yes, sir; I have.

Q. Have you made an estimate of the number of men employed in the lumber business upon the Iron Mountain Railroad?—A. The secretary of the association, with headquarters at Texarkana, and myself, made an estimate of the number of men that were thrown out of employment in Texas, Arkansas, Missouri, and Louisiana—all those that were within the scope of this lumber association. We estimated that 90,000 men are employed by the 3,000 saw-mills that comprise this lumber association, and we estimated the general average number of men employed in the mills at 30.

Q. Then you computed that 90,000 workmen were thrown out of employment?—A. Yes, sir.

Q. And they would represent how much on an average?—A. Three persons.

Q. Then there are 90,000 workmen, and an average of three to the family in addition, that you would make as the number failing to receive support on account of the strike?—A. Yes, sir.

Q. Are there any other statistics that you can give us?—A. We computed the general average of wages at \$1.50 a day, and a general average of those who were dependent upon the pay would be 360,000 people, who were virtually, for the time being,

out off from supplies for the support, including workmen and their families, and that they were virtually thrown out of employment for that time.

Q. How long were they thrown out of employment?—A. In some portions of the Territory for six weeks and some probably two weeks, different times.

Q. What is your judgment as to the average time they were all thrown out?—A. I would say one month.

Q. Are there any other results that you can state that occur to you?—A. One bad feature in connection with the strike, as regards the Iron Mountain Road was, the mill men on that road were compelled to get their supplies, or a good many of them were, by express, owing to there being no freight facilities; and this was done at a large expense.

Q. What kind of lumber does your yellow pine come into competition with?—A. White pine.

Q. What effect has the stoppage had upon your trade as to points where parties usually stocked up?—A. We know of instances within our trade where parties informed us that their yards had to be stocked up, and they were compelled to have a supply to meet the demand. Consequently they bought white pine where they would have bought yellow pine if they could have had it shipped over these roads.

Q. And therefore they have formed other relations with other business men, who handle a different kind of lumber to supply the market that you were supplying; that is a fact, is it?—A. Yes, sir.

Q. Anything further occur to you?—A. No more than it has injured our general business in the spring trade, as we call it.

HENRY J. ROBERTSON sworn and examined.

By the CHAIRMAN:

Question. Are you a Knight of Labor?—Answer. I am sir.

Q. How long have you been a Knight of Labor?—A. About fourteen months, sir.

Q. What position do you occupy, if any, in the local assembly to which you belong?

—A. I am simply a member, sir.

Q. Have you occupied any position in the assembly?—A. Well, I was a member of the executive board about three weeks.

Q. The local executive board, or the district executive board?—A. The local executive board.

Q. Why was the strike ordered?—A. Well, on account of grievances that the men had against the Missouri Pacific Railroad.

Q. On what questions did the assembly vote?—A. They voted on the question of Hall's discharge, on the question of raising the wages of unskilled labor to the amount of \$1.50 a day, and the recognition of our order by the railroad officials.

Q. As such, or committees of your order; which do you mean?—A. The recognition that the order should send committees to be recognized by the officials.

Q. Were you an employé of the railroad on the 6th of March?—A. I was, sir.

Q. What position did you fill?—A. I was transfer clerk.

Q. Do you still occupy that position?—A. No, sir.

Q. How does that happen?—A. Well, I went back to work on the 2d of April and on the 28th I was discharged.

Q. Who discharged you?—A. Mr. Powers; he relieved me; he put a man in my place.

Q. Who is he?—A. He is the freight agent.

Q. What reason, if any, did he assign for your discharge?—A. None, sir; I did not ask him for any.

Q. Had any difficulty occurred between you and him, any misunderstanding?—A. Not in the matter of business.

Q. Had you any misunderstanding?—A. I had some sharp words with him as to the interests and rights of laboring men. He did not quite agree with me.

Q. Was it on that account he discharged you?—A. I do not know; I never asked him. I did not ask the reason of my discharge.

Q. Do you know why you were discharged?—A. No, sir.

Q. Have you any objection to stating how you voted upon the proposition submitted to the local assembly by the district executive board before the strike was ordered?—A. Not in the least.

Q. How did you vote upon the proposition to strike in case Hall was not reinstated?—A. Well, I voted on the three general propositions on one vote.

Q. Were not they submitted to you singly?—A. Not if I understand and recollect aright; I have a recollection that we voted on them collectively.

Q. I understand that before a district executive board has the power to order a strike the local assemblies must by vote agree to sustain the district assembly in which you belong. Now, there were three propositions submitted; did you vote upon them separately or vote upon them collectively?—A. I am not prepared to say, but I voted on each proposition.

Q. Do you know whether the majority of your local assembly voted as you did?—
A. No, sir; it was a secret ballot.

Q. Does not somebody know how each assembly votes?—A. I never knew.

Q. Who does know?—A. Well, the district executive board.

Q. How do they ascertain?—A. By counting the ballots.

Q. The ballots are sent up to them?—A. That is as I understand it.

Q. Then the local assembly does not know how it votes?—A. That is how I understand.

Q. Did not the officers of the local assembly count the ballots and determine whether the assembly voted in the affirmative or negative?—A. I do not recollect.

Q. What is the rule?—A. I am not acquainted with the by-laws at all.

Q. (By Mr. BUCHANAN.) You know what you did?—A. I know I voted in the affirmative on the three questions.

Q. (By the CHAIRMAN.) What security have you that the district assembly (we will presume they are honorable men) did not give a result that was different to what the vote would have been if counted by the local assembly?—A. None at all.

Q. Do I understand you to say that the ballots are cast secretly and sent up to the district assembly, and that it is with them to decide whether there shall be a strike or not?—A. Yes, sir.

Q. Do you not think your system needs remodeling? Do you not think that the local assemblies ought to have some rights in determining how the vote shall be counted?—A. We have; we send a man to the district assembly, so that he should carry out our purposes and see that our wishes were carried out.

Q. Did this local assembly have a representative on the district executive board at Marshall?—A. Yes, sir.

Q. How many local assemblies are embraced in District Assembly No. 101?—A. I cannot tell.

Q. How many constitute the executive?—A. One member from each assembly.

Q. Are you not mistaken about that?—A. That is as I understand it; we send one delegate.

Q. Have 5,000 assemblies 5,000 members on the executive board, or each local assembly a representative on the district executive?—A. Yes, sir.

Q. Do you not confound delegates with members of the executive board of each assembly?—A. I am speaking of delegates going to Marshall.

Q. But I am talking of the district executive board, of which Martin Irons is chairman; has your local assembly a representative on that?—A. Yes, sir.

Q. Has every local assembly a representative on that board?—A. No, sir.

Q. Do you know anything about any grievances in your local assembly, and, if so, by whom were they prepared?—A. I know of two that were prepared by the bridge and building department.

Q. Were they submitted to the local grievance committee?—A. Yes, sir; I will not be certain as to whether the first one was or not.

Q. Was the second one?—A. Yes, sir.

Q. How do you know it was submitted?—A. I was present.

Q. Did you present the grievances to the local grievance committee?—A. No, sir; I did not present it, but I wrote it myself. The first was sent by the men of the department themselves and I wrote them an answer. That was relative to the men waiting here so long for their pay after being discharged, and Mr. Dick said he would rectify it as soon as possible. Then this other grievance was gotten out. I wrote it myself and delivered it to Mr. Moore, the foreman of the bridge and building yard at Baring Cross.

Q. What disposition was made of that?—A. It is my impression it was delivered to Mr. De Lay. He could give you some slight information on that matter. It was published in the Laredo (Missouri) Republican. I saw any number of copies of that grievance petition, and almost word for word as I wrote it. If I recollect right, it stated there that the petition had been sent to Mr. Hayes to be brought before this committee.

Q. (By Mr. BUCHANAN.) But we are trying to find out if it ever got to the railroad officials?—A. That I cannot say.

Q. (By the CHAIRMAN.) You have no general knowledge of what the bridge and building men testified about, have you?—A. I think they testified to what were the facts. I used to be the bridge and building department clerk.

Q. Do you know that any records are kept in that department of the trestles burned and the number of bridges burned?—A. Yes, sir; there is a record of that kind kept.

Q. Do you know whether such a record was kept during the time of the strike?—A. No, sir.

Q. Did you go out on the strike?—A. I did, sir.

Q. Why did you go out in the strike?—A. I have to say I went out on the strike after all other means had been used to bring about an adjustment of grievances that we had as Knights of Labor, and that it was the last resort, and ordered for that purpose.

Q. Was that a fact, or was it because you were ordered out by your superior officer?—A. It was because I was ordered out.

Q. Did you say that all other means had been exhausted for obtaining redress of the grievances complained of?—A. I did, sir.

Q. Why did you not go out on a strike by yourself prior to being ordered out?—A. Well, I would have been isolated.

Q. Is it not a fact that you went out because you were ordered out?—A. Yes, sir.

Q. Did Martin Irons order you out on account of the grievances that you had prepared?—A. I stated that to be in part. I said that that was part of the grievances.

Q. When did you get your first knowledge that the strike was ordered?—A. I was working at the Fort Smith crossing, which is about a quarter of a mile below the shops. My business took me up into the yard, and I found the shops all closed down, the machinery stopped, and the men all gone out.

Q. Then you were surprised, and you knew no cause of strike; you had no idea that the strike had been ordered, had you?—A. Previous to that I had no knowledge that the strike was going to be ordered.

Q. Did you know that these grievances were under consideration and if not redressed the strike was going to be ordered?—A. Yes, sir; I presumed so.

Q. Then, at the time the strike was ordered, you did not know the cause that led to its being ordered; but you supposed that you knew?—A. I supposed that the grievances had been properly presented.

Q. Did you think that the discharge of Hall and the failure of the Texas and Pacific officials to reinstate him was the cause of the strike?—A. Not that solely.

Q. Did you think the strike had been ordered previous to the presentation of all grievances?—A. No, sir; I did not.

Q. I am requested to ask you whether you thought the superior officers of the company always courteous and polite to their employes?—A. Well, yes; where I have been employed; they have always treated me with courtesy, except I had some little difference with Mr. Powers upon the question of labor.

Q. Do you know anything about a black list?—A. Yes, sir; I know something about a black list.

Q. What do you know?—A. I have some papers in my possession giving the history of how a man who was discharged from Fredericktown, Mo., was unable to get work on the Northern and Chicago and Minneapolis Road on account of being followed by a black list.

Q. How do you know that?—A. I have the papers here; they were given to me specially to present to you gentlemen.

Q. What do they purport to be?—A. This is a letter from the man to me, but I know nothing of the facts myself.

Q. (By Mr. BUCHANAN.) At the time you found the strike was ordered did you implicitly obey the order and go out?—A. Yes, sir.

Q. And you did so because you had faith in the propriety and justice of the strike?—A. Yes, sir.

Q. And you also had faith in your superiors having exhausted every reasonable means to reach an adjustment of the difficulty before they ordered it?—A. Yes, sir; I had.

Q. And you exercised that faith without making any independent investigation of your own into the facts as to whether they had or not?—A. Yes, sir.

Q. If it should appear that they had not exhausted every reasonable means to secure an adjustment after ordering a strike, you would feel that you had been imposed upon, would you not?—A. Well, yes, I should, sir.

Q. Have you any knowledge or any testimony, or any means of determining in your own mind, that the grievances formulated by you ever reached the proper official of the road?—A. I have not, sir.

Q. Have you any knowledge as to whether Martin Irons exhausted every reasonable means to secure an adjustment of the Hall difficulty before he ordered the strike?—A. I have not.

Q. What wages did you receive at the time you left the employment of the company?—A. Seventy dollars a month.

Q. What were your duties?—A. I was transfer clerk.

Q. What were the duties of transfer clerk?—A. To receive and record the numbers of all cars in the yard at Baring Gross, and I was afterwards employed in receiving cotton at the compress for some time.

Q. What were your hours of duty at the time of the strike?—A. About ten and eleven hours a day; in the winter time a great many more.

Q. They would vary with the amount of traffic over the road?—A. Yes, sir.

Q. You stated that at the time you left the employment of the company you had some sharp words with, I think, Mr. Powers. Will you state whether that conversation became personal in its terms?—A. There was nothing personal, except that his

views and mine did not agree, and we were rather pointed in our remarks. There was no abusive language, no insinuating remarks, and nothing insulting passed.

Q. Did you refer to each other in uncomplimentary terms?—A. No, sir.

Q. You say that one of the causes of the strike, or one of the propositions upon which you voted, was the recognition of the order. Tell me what you mean by that term, "recognition of the order"?—A. That the company should recognize a committee of the Knights sent to them with any grievance from any members of our order.

Q. But what do you mean by the word "recognize"?—A. That they would receive them as a body and treat with them.

Q. You do not mean necessarily to receive them as a committee of any particular order, but receive them and listen to their statements?—A. Yes, sir.

Q. Then this phrase "recognition of the order" is what you understand to mean simply a desire that the company shall receive a committee sent by one of your bodies hearing grievances?—A. Yes, sir.

Q. And is not a mere sticking for the name of being "officially recognized"; am I correct?—A. I do not quite understand "official recognition."

Q. I mean that you do not contend that the officials should receive any member in that committee as a committeeman, or as a master mechanic, or as a member of the executive board, but shall receive him because of his official position as a bearer of grievances from your order?—A. Yes, sir.

Q. (By the CHAIRMAN.) Do you understand that a committee of Knights of Labor from some other place, and some other employment, entirely disconnected with the road, shall be received by the railroad officials to submit grievances of employes on this road; is that what you mean? Or do you mean the committee is to be constituted of employes of the system?—A. I think it is the same principle. I think if a committee is sent from the Iron Mountain Road, it should be presented by Iron Mountain men.

Q. Mr. Martin Irons is not on the Iron Mountain road. He lives at Sedalia, which is on a different division of the Missouri Pacific from this; he is not on the Iron Mountain road?—A. No, sir.

Q. Do you mean that Mr. Martin Irons should be received or not received by the Iron Mountain road?—A. I think that the Knights wish that he should be taken into the committee and that he should be received.

Q. That is just where the officials and you differ?—A. If the Iron Mountain road and the Missouri Pacific were under different managements it would be a different thing.

Q. The meaning of the reply you give is that all employes under one system, if the employes be thousands of miles apart, should be recognized to present grievances of members here, for instance?—A. Yes, sir.

Q. Is this one of the reasons that were assigned: That with employers proposing to mediate for them and to present their grievances to the railroad officials, some excuse would afterwards be made to have them discharged on account of the official act they took in presenting grievances?—A. No, sir; I think not.

Q. (By Mr. BUCHANAN.) Then you regard the parties that take the grievances as simply a vehicle of transmission?—A. That is all.

Q. And for your purposes it is indifferent to you whether they are employed on this road or any other road?—A. I do not want to go on record in that way. I do not think that a man working for the Fort Smith road ought to be brought into a committee to present grievances for men working on the Iron Mountain road.

Q. Do you not understand that is what is claimed in the phrase "recognition of the order"?—A. I do not.

Q. (By Mr. PARKER.) How many strikers were there on the Iron Mountain road?—A. I cannot say.

Q. Have you not some knowledge of the number of strikers that have gone out on the Southwest system on this strike?—A. No, sir; I have no idea.

Q. (By the CHAIRMAN.) You believe in strikes as ordered?—A. I believe in arbitration first.

Q. I did not ask that question.—A. I believe in strikes as a last resort.

Q. What possible good would a peaceable strike effect?—A. In the future, when all labor is recognized and the organization which we are striving for is completed, I do not think that when men walk out peaceably there will be men found to take their places.

Q. You think that the future result will be beneficial?—A. Yes, sir.

Q. Meanwhile what becomes of your families in case you do not get employment?—A. Personally I can get employment.

Q. If these men who know nothing else but the railroad business strike peaceably, and their places are immediately filled and business goes on in its usual channel, is not the result disastrous to the strikers?—A. For the time, certainly.

Q. (By Mr. BUCHANAN.) You have heard Mr. Powderly's views on strikes?—A. Yes, sir.

Q. Do you agree with them?—A. Yes, sir.

Q. Does not he oppose strikes?—A. I think he opposes too great use of them, but does not go to the extent of no use for them.

Q. In his last circular does not he oppose them under all circumstances?—A. I think not.

Q. Does he oppose violence to persons and property?—A. Yes, sir.

Q. Do you?—A. I do, sir.

Q. Do you not regard the man, a Knight of Labor, who takes possession of property which is not his, prevents its use, or who uses violence to persons who have obtained employment in the place of the strikers, as an enemy to the members of the order?—A. I do.

Q. Is not that position held generally by the better informed members of the order?—A. Yes, sir; decidedly.

Q. But have those views been publicly proclaimed by any of them here since the commencement of the strike?—A. Well, I am not a public man. I have counseled against violence of any kind either to person or property, and for two reasons: first, that I considered it wrong and unbecoming a Knight of Labor to do so; and another cause, it was something for the railroad company to get a hold on us for.

Q. In other words, that the use of violence either to person or property would hinder rather than help the progress of your order?—A. I do think so. I think it would hinder rather than help the progress of all laboring classes.

Q. (By Mr. PARKER.) Of the 10,000 men on the Southwestern system that were thrown out of employment by the strike about 3,000 were Knights of Labor?—A. I cannot say what proportion of men were Knights of Labor; the proportion is not verified here in Little Rock by any means.

Q. You have heard a statement of a witness here that about 90,000 men were thrown out of employment in the lumber business?—A. Yes, sir.

Q. Now, to the 90,000 lumbermen add, say, 10,000 men employed in the railroad business not striking, and rating their wages at \$1.50 a day, will you tell me what right you had to strike and prevent these men from earning \$150,000 a day?—A. We never prevented any of them from earning \$150,000.

Q. That is the way you answer it?—A. Yes, sir.

The subcommittee then adjourned to meet the other subcommittee at Saint Louis, Mo.

TESTIMONY TAKEN BY COMMITTEE AS A WHOLE AFTER REUNITING.

SAINT LOUIS, *Friday, May 14, 1886.*

The special committee to investigate the labor troubles in the Southwest, in Illinois, Missouri, Kansas, Texas, and Arkansas, which had been pursuing their labors in two subcommittees, met at Saint Louis this day, in the judges' chamber in the custom-house, and proceeded to take the following testimony as of the whole committee, Hon. A. G. Curtin presiding:

TIMOTHY J. CANTY sworn and examined.

By Mr. BURNES:

Question. State wherein you have been wronged by the testimony of any witness, and make your own statement in contradiction of it.—Answer. I live in East Saint Louis, and I was a deputy sheriff. The sheriff claims that he requested me to disperse the crowd where the shooting occurred. I have a paper here to show how matters were. I told him that my family was sick, and that I was on my way home to them. He said there was a crowd he wanted me to disperse. I had requested his vote for secretary, and I told him I was not going to disperse that crowd, and he then said "I will fix you," and he started up, and he was actually drunk at the time; I thought so to the best of my opinion. At this time I think he was doing more cursing than anybody else, and he was making more noise than any of the strikers. I am not a Knight of Labor at all. Mr. Dalton was standing close by me at the time it happened—this gentleman here.

Q. Is there anything else you desire to state?—A. I can state that I am a special deputy marshal there now, and he is always trying to get up a row.

Mr. BURNES. Just make your statement as to what affects yourself and as to what you think is wrongly charged to you.

The WITNESS. To the best of my opinion it is this way: that if we had had the right kind of sheriff we would not have had this riot or strike there in East Saint Louis at all.

JOHN DALTON sworn and examined.

By Mr. BURNES:

Question. What has the newspaper said about you?—Answer. Nothing, sir.

Q. Do you desire to make any personal explanation?—A. I do not know that it would be of any use.

Q. Have you been assailed by any witness?—A. No, sir.

Q. Then you have no testimony to give?—A. Unless you want to make any inquiry about the shooting and all that.

GEORGE M. JACKSON sworn and examined.

By Mr. PARKER:

Question. Where do you reside?—Answer. At Saint Louis, Mo.

Q. Did you hear or read the evidence of R. F. Walsh in relation to the statement made by Martin Irons about the 17th of April last?—A. I was present and heard the testimony.

Q. Did you hear that speech?—A. Yes, sir.

Q. The witness is reported as having said that Martin Irons said "Talk to the scabs; go to their houses and talk to their wives; make them quit. If they won't quit, give them some pills. To hell with the Chinese. To hell with the scabs. We fought the Chinese fight and won; we will win this fight." Did Martin Irons use those words?—A. He said the first part of that.

Q. Just state how much of that he stated.—A. He said to go and persuade them, and do everything in the world to get them to quit, but to do no violence; and he

might in the latter part of the speech have said something about purging them out; but he never said anything so that it could be construed that it meant violence.

Q. If you can, give his language.—A. That they must be peaceable, and that the committee was prepared to make a peaceable fight, and if they would only do it peaceably they could win this fight. That they must go to the parties at work and go to their wives and persuade them and tell them they would pay their grocer's bill and board them, and that they would support them; but that no violence must be done. He did probably say in connection with that that we are going to win this fight, if you will be quiet and peaceable; and there was something said about giving them pills; but in a jocular way, that no one could construe as meaning any violence.

Q. He spoke of giving them pills?—A. Yes, sir.

Q. What kind—lead pills?—A. I do not think he meant that.

Q. What kind of pills do you believe he meant?—A. I think he meant something about purging them; I went over there with Mr. Irons, and at his request.

Q. Did he in substance or effect say "To hell with the scabs"?—A. I never heard it; I do not know that he did.

Q. You must know definitely whether he used that extravagant language.—A. I am not definite about that; but in my best impression nothing of that kind was said.

Q. Are you a Knight of Labor?—A. Yes, sir.

Q. Did you speak on that occasion?—A. Yes, sir.

Q. Are you one of their orators?—A. I hold no position at all; I sometimes talk for them.

Q. You addressed that meeting?—A. Yes, sir.

Q. Do you wish to make any statement as to what Mr. Irons said to you as to his intentions in his meeting?—A. In going over the bridge with him he said he merely wished I would make a talk to them; as we were going over the substance of his conversation was that we should advise the men to keep cool and commit no violence. It was just after the shooting there, and men were greatly excited.

Q. Is there any other matter that you wish to state?—A. Not particularly.

Q. (By the CHAIRMAN.) What is your business?—A. I am engaged in stock raising on a stock ranch.

Q. (By Mr. BURNES.) Was Kasper Heep at that meeting?—A. No, sir.

Q. You did not see him at that meeting?—A. No, sir.

Q. Did you take any part in the strike of the 6th of March?—A. I took part to do all I could to make peace.

Q. Did you take any part in acts of violence as against the railroad company?—A. No, sir. I think I am charged with being in a conspiracy to cut the telegraph.

Q. You are charged with that?—A. I am charged and indicted for that, but did not do it.

JOHN H. OSBORNE sworn and examined.

By Mr. BURNES:

Question. State your residence, full name, and occupation.—Answer. My residence is Chamois, Mo.; and I am a stationary engineer; my name is John H. Osborne.

Q. (By Mr. PARKER.) Were you one of the strikers at Chamois?—A. I am not a railroad man.

Q. Are you a Knight of Labor?—A. Yes, sir.

Q. What was your business at that time?—A. My business was running a stationary engine.

Q. In connection with what business?—A. Working for a contractor.

Q. What was the contractor's business?—A. Supplying piles for the railroad.

Q. Which road?—A. The Missouri Pacific.

Q. Were you an official of that assembly of Knights of Labor of which you were a member?—A. I was a member of this executive board, and I wish to say I am master workman of Local Assembly 3771.

Q. Now, as an official of that assembly, would you have knowledge of the matters which led up to the strike at that place?—A. Will you permit me to make a statement as best I can in answering your question? The proposition was submitted to the assembly in this way: First, "Will you sustain the action of the executive board of your assembly?" Being a mixed assembly in which I was a member, we hesitated in regard to complying instantly or directly with the order as to the matter of going out; but finding that a strike had been ordered, we decided to act with them. That was on the 7th, I presume.

Q. (By the CHAIRMAN.) The day after the strike?—A. That is what I remember about the date. The assembly, as I was saying, before going out, being a mixed assembly, we thought we would ask of our executive afterwards if that action should be taken. We had canvassed that question, and had thought it best to let it remain

until the executive officer received some instructions, and he came into possession of certain information that led him to believe that it was to our best interests to go out immediately, and we went out.

By Mr. PARKER :

Q. You are an official of the Knights of Labor here, I suppose?—A. No, sir.

Q. How many railroad men were there in that assembly?—A. About how many I cannot say; I presume half of us.

Q. What was the formal ground of the strike, as stated in the order to strike?—A. I did not see the order myself.

Q. What was the formal ground of the strike, as stated in the formal resolution, preliminary to the strike?—A. I do not know whether I understand your question. I did not see the order.

Q. Not the order, but the formal resolutions acted upon by the assembly; so far as your assembly was concerned, what was the ground of the strike?—A. The grounds were upon the presumption of general grievances between the railroad company and the Knights of Labor.

Q. What specific grievances?—A. I do not think it was any particular grievance; I think it was a culmination; judging from observation, it was a culmination of grievances; I cannot say explicitly.

Q. Was not the subject of it stated in your formal resolutions?—A. I have not given any formal resolutions.

Q. No; but were there not some?—A. I do not know.

Q. The strike was not made at random; what was the basis of the order?—A. I say I did not see the order.

Q. What were the formal resolutions upon which your assembly acted, or what preliminary action by your assembly was taken immediately preceding the order to strike?—A. I do not know of anything except the order to strike.

Q. Do you know of any specific grievance upon which you struck?—A. I know the alleged grievances, which I saw with our board of grievances.

Q. Do you mean those that were talked of in any general discussion, or a demand that was embodied in some resolutions or proposition?—A. I must say that I am not aware of any preliminary resolution or proposition.

Q. Or embodied grievance?—A. As being the basis on which we struck?

Q. Yes.—A. If you ask as to grievances —

Q. I ask as to grievances embodied in a written proposition or resolution forming the foundation or basis for the strike before the order to strike came.—A. I do not know that I can answer your question, unless it was on my own inference; upon an accumulation of grievances.

Q. What specific grievance?—A. That brings me down to the order.

Q. Yes, that was specified in the order or not, or some resolution or some document?—A. I do not know of any.

Q. No loose general talk, but specific complaint?—A. They are the specific grievances of railroad men in their particular localities.

Q. Do you wish to state them?—A. Yes, sir; if it is your wish.

Q. Was it upon these grievances that you struck?—A. They were part of the whole, I presume.

Q. Well, you must know about them, I reckon?—A. I say they were part of the whole.

Q. Upon which you struck?—A. Yes, sir.

Q. You may state what they were.—A. I think they were that the wages were not restored to what they had been in September, 1884. Not being a railroad man, my wages were not in that complaint. That was the complaint.

Q. Who were they whose wages were not restored?—A. Yard men.

Q. Do you know what they had during September, 1884?—A. No, sir.

Q. Do you know what they were reduced to?—A. I do not.

Q. You have no specific information on that?—A. Only general talk as a member of the executive board and a member of the grievance committee, and that statement of grievances which were submitted to our district officers embodying these specific grievances.

Q. You may go on and state if the grievances came before your board; you may state what they were and what became of them.—A. The grievances were that the wages have not been restored according to the understanding or contract made in 1885.

Q. You refer to the agreement made March 15, 1885?—A. That they had not been restored to the wages from which they were reduced in September, 1884. When the reduction was made I did not know and I did not inquire what was the particular date of the reduction.

Q. What grievance have the section men in that respect?—A. Those that I refer to were the yard men.

Q. Are there any other grievances that came before you as a member of this grievance committee?—A. The blacksmith and his helper at Chamois were discharged on

three days' notice. That was reported to me as a grievance. These were all the grievances that were submitted to our district officers.

Q. What was done with them?—A. They were left in charge of the chief executive officer.

Q. Do you know whether they were presented to the railroad company?—A. I know they were transferred to our district officers, and I understood they were presented.

Q. You are informed that they were presented, but you have no personal knowledge of the fact?—A. I have no personal knowledge, but it was reported to me that they were.

Q. You understand that those grievances were a part upon which the strike was ordered?—A. That is my understanding.

Q. Had the strike the effect of throwing you out of employment?—A. Yes, sir.

Q. Have you any knowledge of the station agent at that place advising this strike?—A. It was so reported to our assembly. I had no conversation with him in regard to it, but I saw one of the committee who informed him that the men had gone out. He said that that was right, that they had acted as men to quit; and the committee informed him that the yardmen struck.

Q. Was there a law and order league composed there at any time?—A. Yes, sir.

Q. When?—A. I do not know the exact date.

Q. About what date?—A. It has been originated and passed since the strike.

Q. Of whom was that law and order league composed?—A. Who are its members? Of course, not being a member, I do not know anything about its real membership.

Q. To answer the question you ought to have definite information; if you have no knowledge about it, of course you cannot answer; if you have we would like to have an answer.—A. I have talked with our citizens on the street who professed to say that they are members of the law and order league.

Q. Taking the statement of the men who say they are members of the law and order league, of whom is the league composed?—A. I have talked with three or four, and as well as my knowledge is, it is that the proprietors and barkeepers of saloons are members. The last defeated mayor of our city is a member, in my understanding, and some several deserters from the Knights of Labor; I recognized several of them; and possibly some others.

Q. Have you any further knowledge in that respect as to the making of the law and order league there?—A. Well, if this means any answer to your question I may say that one member of the law and order league was sent to the penitentiary for two years for stealing horses and a second one had been held for trial.

Q. They are not now active members of the law and order league?—A. I presume not.

Q. Can you give us any further information as to the law and order league?—A. It depends upon what you desire as evidence and whether you would take rumor, and not as to what my knowledge is.

Q. What is the name of this station agent?—A. H. A. J. Sexton.

Q. Was he a Knight of Labor at any time?—A. I am.

Q. Did he become a member of the law and order league?—A. Yes, he did.

Q. (By Mr. BUCHANAN.) You never saw the formal order for the strike?—A. No, sir.

Q. At the time it was issued what position did you occupy in your assembly?—A. I was simply a member.

Q. Was it read in your assembly?—A. My recollection is that the officer of the assembly to whom the order came announced the information to the assembly in his own language. I do not remember him reading any particular order.

Q. Is it possible to procure for this committee that order, or that copy of it which came to your assembly, or any copy?—A. I do not know. My presumption is that it could be.

Q. But you only have a presumption in that respect?—A. I presume that all of our correspondence with our officials is on file with the recording secretary. It is generally at his disposal, and such matters are generally required to be kept on file.

Mr. BUCHANAN. Mr. Chairman, I wish to inquire whether a copy of that order has been procured. We have not been successful in obtaining a copy.

The CHAIRMAN. We have not obtained a copy. We have endeavored to get a copy, but have not obtained one to put in our record. We have no copy of the formal order.

Mr. BUCHANAN. We have had the substance, or the alleged substance, of the order detailed by witnesses, but not a single copy of the order has been produced; and it seems singular that an order which has been so widely disseminated as that cannot be procured. I for one hope that some assembly will furnish a copy.

Q. (By the CHAIRMAN, to witness.) Do you think you can get a copy of it?—A. I think I can if I had time.

Q. (By Mr. BUCHANAN.) At the time you spoke of, when certain grievances were presented to your assembly to vote upon, do you remember whether or not the propo-

sitions which your assembly were to vote on were in writing?—A. The propositions—the grievances do you mean?

Q. Yes, sir.—A. There was no proposition of grievances.

Q. I will put it in other language. Your assembly voted whether or not they would or would not sustain the district executive board in a certain line of action?—A. My recollection was that the question was "Will you sustain the action of your executive board?"

Q. In what respect?—A. I cannot say.

Q. Was not the "respect" or the matters in which the board desired to be sustained laid before your assembly in some formulated manner?—A. Not at that time that I am aware of.

Q. At any time?—A. I have no recollection.

Q. How many propositions were voted upon?—A. In what connection do you mean? This proposition was voted upon: "Will you sustain the action of your executive?"

Q. Was that the only proposition voted upon?—A. No, sir.

Q. Give me the others.—A. The other proposition was, "Shall we strike?" "Shall we go out?"

Q. In those words?—A. "Shall we obey the instructions," possibly; I do not remember.

Q. Instructions of whom?—A. The executive of the order; members of the district board.

Q. Instructions of what character?—A. As to a strike, I presume.

Q. I ask for no presumption, I ask for the fact. What was embodied in the thing voted upon?—A. Well, sir, that is it as I understand it, "Will you strike, or will you not?" That is the clause that I voted upon.

Q. You say that certain grievances were formulated by your assembly and transmitted. By whom?—A. By the executive board, I stated.

Q. Were you a member of that board?—A. I was.

Q. Did you see those grievances?—A. I did not read them in full; I have heard them discussed.

Q. They were transmitted by your local executive board?—A. The officer in whose charge they were and whose business was to transmit them, reported that he had transmitted all these grievances.

Q. Have you any knowledge of their being transmitted except the report of that officer to you?—A. I did not see any receipt from the officer to whom they were transmitted.

Q. Be kind enough to answer my question. Have you any knowledge of their being transmitted except the report which that officer gave to you?—A. No, sir.

Q. Have you any knowledge that they reached any railroad official?—A. I have no knowledge of that.

Q. In this investigation the railroad officials have denied that grievances were received. I think, perhaps, that denial is broad enough to require this investigation I am now pursuing. I have discovered that when grievances were formulated they were put in course of transmission, but we have not been able to trace these grievances from the point of first departure up to the railroad company, for the reason that there is an obligation, as I understand, of your order which forbids you to give the name of any brother without first obtaining his consent, and I suppose that in this case these grievances that you speak of as being presented to your board were placed in the hands of a brother. Is that supposition correct?—A. My supposition is that that would be their proper direction.

Q. I will ask you whether these grievances, after they left your board, were placed in the hands of the board to be transmitted? I understood by your testimony that such was the case. Am I correct?—A. That is my understanding.

Q. Will you furnish the committee, or can you furnish the committee, without violating your obligation, the means by which we will be enabled to trace these grievances which arose in your local assembly up to the point at which they ultimately rested?—A. I know nothing of them after sending them, only as I have informed you, as our executive officer told me.

Q. I am not asking as to your personal knowledge as to where they ultimately went, but can you place this committee in possession of facts that will enable it to trace them to the place where they ultimately rested, or to the officials who were to receive them?—A. I cannot.

Q. (By Mr. PARKER.) Did you strike, or were you discharged?—A. I was discharged.

Q. As a result of the strike?—A. I understood as a result of the strike work was suspended.

Q. You went with a great many thousand others, on account of the strike?—A. Yes, sir.

Q. Did you apply for work afterwards?—A. I did.

Q. To whom?—A. To the contractor with whom I had worked previously.

Q. What answer was made to you?—A. That he could not give me employment.

Q. Why?—A. He did not tell me why.

Q. Do you know the cause of his refusal?—A. He referred me to something that had been in the papers over the signature of Mr. Rockwell, in regard to the employment of Knights of Labor, and said to me, "I give you that as my answer."

Q. (By Mr. BURNES.) I understand you as saying that you do not know where these grievances went to. Ought they not to have gone to the district assembly?—A. That is my understanding.

Q. And from the district assembly into the hands of some one whose business it is to present them to the railroad officials?—A. My understanding is that that is what they were gotten up for.

Q. Is it not your understanding that they were placed in the hands of Mr. Dement by the district assembly?—A. I do not know the name of the gentleman.

Q. Coming to the district assembly, or from the district assembly, is some one authorized to present them to the company?—A. Yes, sir.

Q. (By Mr. PARKER.) You were working under the contractor whose employment you had been in until the strike came?—A. Yes, sir.

Q. He was working for the company at that time, and in that manner you were working for the company?—A. Yes, sir.

WILLIAM SHEA sworn and examined.

By Mr. BURNES:

Question. State your official position and place of residence.—Answer. I live in East Saint Louis, and am yardmaster in the East Saint Louis Connecting Railroad.

Q. You are permitted to come before the committee in justice to yourself, as it is understood, to make a reply to some evidence concerning yourself given by Mr. Staunton, with regard to your arrest.—A. I read that Mr. Staunton says that he arrested me and took me to Springfield. I just came to contradict him. I never was arrested and taken to Springfield.

Q. Do you know Mr. Staunton?—A. Yes, sir.

Q. Did he ever talk to you about arresting you?—A. He never did.

Q. Did anybody else ever take you to Springfield?—A. No, sir. I was subpoenaed before court, but that was last September.

Q. Subpoenaed as a witness?—A. It was about some trouble over there in East Saint Louis.

Q. Were you subpoenaed as a witness?—A. I was one of the defendants.

Q. What was it for?—A. It was about contempt of court.

Q. When was it?—A. It was the 30th day of December last. That is the only time I ever was in Springfield.

Q. On what road did you travel?—A. The Chicago and Alton.

Q. Was that the road with which Mr. Staunton is connected?—A. No, sir; he was on the Ohio and Mississippi.

Q. Did Mr. Staunton travel with you at the time?—A. No, sir.

The CHAIRMAN. This is a very mysterious thing. Is Mr. Staunton here?

The WITNESS. No, sir.

Q. (By Mr. BURNES.) I believe not. (To witness.) You are under indictment now, in Saint Clair County, Illinois?—A. Yes, sir.

Q. What is the charge against you?—A. I never paid much attention to it.

Q. Do you not know what the charge is alleged to be in the indictment?—A. I believe one of them—I believe there are two or three charges—one is abetting illegal voting at some election about a year ago. I do not recollect the others.

Q. Do you remember any charge, except that for illegal voting?—A. No, sir, I do not. I can find out and let you know.

Q. (By the CHAIRMAN.) You are positive that Mr. Staunton did not take you up there?—A. No, sir; he did not.

Q. Did any other man take you up there?—A. No, sir.

Q. (By Mr. PARKER.) Or did he at any other time?—A. No, sir.

Q. (By Mr. BURNES.) Is the mayor and chief of police under indictment?—A. I do not know whether the mayor is or not; the chief of police is.

Q. (By Mr. BUCHANAN.) Have any of those various charges ever been brought to trial?—A. No, sir; I have been trying to get them to set them for trial.

MARTIN IRONS sworn and examined.

The CHAIRMAN. You understand the duty of this committee is to investigate the cause of the trouble here, to get, if possible, at the facts, not only of the trouble which has resulted in the displacement of so many men and caused great distress in the country, but also into the disturbance of the trade and commerce of the country by reason of the traffic being interrupted, and we want you to go on in your own way

and state your knowledge of this trouble, so far as you can, and then you will be subjected to questions by my colleagues. For the present I will turn the examination over to Mr. Burnes.

By Mr. BURNES:

Question. Before you commence your statement, state what is your place of residence, your occupation, and your age.—Answer. I am a machinist, and my residence is Sedalia, Mo.

Q. Are you a native of this country or a naturalized citizen?—A. I am a naturalized citizen.

Q. Where were you born?—A. I was born in Scotland.

Q. When did you immigrate to this country?—A. That I cannot say, exactly, sir; I came when quite young.

Q. Did you come at an age that made naturalization unnecessary?—A. Yes, sir.

Q. Did you come with your father?—A. No, sir; I did not.

Q. Did you come by yourself?—A. Yes, sir; that is, with a guardian, rather.

Q. Then you must have been several years old when you came?—A. I was, several.

Q. As old as twenty-one?—A. No, sir.

Q. Did you land at New York?—A. Yes, sir.

Q. How long did you live in New York?—A. I am a poor hand to recollect dates; I think I came when I was about fourteen years of age, and left New York when I was about twenty; my present age is fifty-four.

Q. You think at the age of twenty you left New York for some other place?—A. Yes, sir.

Q. To what point did you go after leaving New York?—A. New Orleans.

Q. How long did you live in New Orleans?—A. Two years.

Q. And from that place where did you go?—A. To Lexington, Ky.

Q. How long did you live in Lexington?—A. I do not recollect how long.

Q. To what place did you go after leaving Lexington?—A. To Cincinnati.

Q. Do you remember how long you lived in Cincinnati?—A. I think only a few months.

Q. From Cincinnati to what place did you go?—A. I think I went to Hannibal, Mo.

Q. Do you remember how long you lived in Hannibal?—A. I think about a year.

Q. From there you went to Saint Louis?—A. Yes, sir.

Q. How long did you live in Saint Louis?—A. I think about a year.

Q. Did you then remove to Sedalia?—A. No, sir; I moved to Lexington, Mo.

Q. And from Lexington to what place?—A. I think to Knoxville, Tenn.

Q. How long did you live in Knoxville?—A. I think about a year, sir.

Q. And when you left Knoxville to what point did you go?—A. I think I came to Richmond, Mo.; that is my recollection.

Q. How long did you live in Richmond?—A. I am not positive how long, sir, but about a year, I think.

Q. Do you remember some of the names of the citizens of Richmond who lived there at the time you did?—A. Yes, sir.

Q. You remember Judge Dunn, perhaps?—A. Judge Dunn was one of my particular friends.

Q. Was ex-Governor King, Mr. Hughes, and Mr. Wasson?—A. Yes, sir; I was pretty well acquainted with them.

Q. When you removed from Richmond to what point did you go?—A. From Richmond to Kansas City.

Q. How long did you live in Kansas City?—A. A little over a year.

Q. And from that point where did you go?—A. I want it understood that I am a very poor hand to recollect the places I have been all the time. I am not giving this as definite at all.

Q. To what place did you remove after leaving Kansas City?—A. To Joplin.

Q. How long did you continue to live in Joplin?—A. In the neighborhood of a year.

Q. What was your occupation while in Joplin?—A. Machinist. I think I followed that there; ran an engine and did something in the way of prospecting—sunk some money at prospecting.

Q. When you left Joplin, to what point did you remove?—A. I came back to Kansas City.

Q. And how long did you remain in Kansas City on your second removal there?—A. It must have been about two years I was in Kansas City. I took in Rosedale, Kans., which is joining Kansas City, and in fact it is a suburb of Kansas City.

Q. After that second residence in Kansas City, to what point did you remove?—A. I came to Sedalia.

Q. Where you have ever since resided?—A. Yes, sir.

Q. Were you able to find work in your mechanical calling at the different places where you resided?—A. At most places; yes, sir. At some of them I did not go for work; I followed other business.

Q. In what courts and at what place were you naturalized?—A. In Lexington, Ky.
Q. You there took the oath of allegiance to the Government of the United States?—A. Yes, sir.

Q. And, I suppose, you renounced allegiance to the British Queen?—A. Most assuredly I have renounced allegiance to the British Queen.

Q. Can you recollect the date, or about the date, of such naturalization?—A. That is pinning me very close. I am a very poor hand about dates.

Q. Can you remember the year in which you were naturalized?—A. I cannot intelligently. I cannot answer the question.

Q. Do you remember the first Presidential election at which you voted?—A. I do not recollect that even.

Q. Were you in the army during the war between the North and South?—A. No, sir.

Q. You were not in the army on either side?—A. No, sir.

Q. Do you remember whether you voted before the war?—A. I voted before the war; yes, sir.

Q. You must have been naturalized, then, before 1860?—A. Yes, sir.

Q. When did you first become a member of the Knights of Labor?—A. Something over a year ago.

Q. In what assembly were you received?—A. 3476 is the number of it.

Q. Were you engaged shortly after your initiation in the work of organizing assemblies?—A. No, sir, I was not. Though I have been instrumental in getting up assemblies, I have never organized an assembly in my life.

Q. When were you promoted to the position of master workman of the assembly?—A. I presume about nine months ago.

Q. Were you present at the formation of District Assembly No. 101?—A. Yes, sir, I was.

Q. When was that formed?—A. In September, 1885.

Q. How many assemblies constituted District Assembly No. 101?—A. At the present day or then?

Q. At the time of its organization.—A. There were only five, sir, that were represented at the organization.

Q. How many constitute District Assembly No. 101 now?—A. Something like thirty, or the neighborhood of thirty.

Q. What is the aggregate membership of the thirty assemblies?—A. In the neighborhood of five thousand.

Q. Is the membership confined mainly to the employes of the Missouri Pacific System?—A. Yes, sir.

Q. What is the relation between District Assembly 101 and the general organization, of which Mr. Powderly is the head?—A. Well the district assembly is composed of all the locals in a certain district, taken up in a certain territory, subject to have their own government and laws. Something like the same as a State would have under the Constitution of the United States. That is about as near as I can describe it.

Q. You would then liken your organization, or the principles of the organization, to the Government of the United States?—A. Yes, sir.

Q. And the relation of the general government of your order to the organization of Assembly No. 101 is like unto the relation between the Government of the United States and the State of Missouri?—A. I think so, sir. That is the way I construe it.

Q. You understand that the President of the United States and the Government will not interfere in matters pertaining to the local government of the people of Missouri without the request of the governor?—A. That is my understanding.

Q. Is it your understanding that, in like manner, the general government of the order of Knights of Labor will not interfere in a matter pertaining to the local government of a district assembly except upon the request of the organization of that assembly?—A. That is my understanding of the condition of the district to the general assembly.

Q. When this strike on the Missouri Pacific system was first agitated, what position did you hold in the order and in the organization of District Assembly 101?—A. I held the position as master workman of the local assembly, and was likewise recording secretary of the district.

Q. What position did you hold in the order of Knights of Labor and also in the organization of District Assembly 101?—A. I was master workman of the local assembly, recording secretary of the district, and likewise chairman of the executive board of the district.

Q. You were chairman of the executive board of District Assembly 101?—A. Yes, sir.

Q. What were the powers of the executive board of the district assembly?—A. To carry out the instructions of the district assembly.

Q. What representatives of the local assemblies constitute a representation in the district assembly?—A. A majority.

Q. What representatives of the local assembly meet in this district assembly; it is not a mass meeting?—A. A delegate.

Q. And these representatives meet and form the district assembly?—A. Yes, sir.

Q. That is a representative assembly of all local assemblies?—A. Yes, sir.

Q. What representatives from a local assembly meet for the purpose of forming a district assembly?—A. The local assemblies are represented in a district assembly by delegates.

Q. Specially appointed by each local assembly?—A. Yes, sir.

Q. The official position of a man in a local assembly does not give him the right to be the representative of his assembly in the district assembly?—A. Not at all, sir.

Q. But he is the representative of a local assembly?—A. Yes, sir.

Q. Were you one of the representatives of your local assembly in the district assembly?—A. Yes, sir.

Q. When those representatives met and organized who was the chairman preliminary to organization?—A. N. M. Lovin, of Fort Worth, Tex.

Q. What are the officers of the district assembly?—A. Master workman, venerable sage, foremen, recording secretary, financial secretary, and what we call "unknown knight," and inside and outside doorkeepers.

Q. The officers of the district assembly are about the same so far as names and style are concerned as the officers of a local assembly?—A. Yes, sir.

Q. When this assembly of 101 was organized what position did you receive and hold in the organization?—A. When it was organized?

Q. Yes, sir.—A. That of recording secretary and chairman of the executive board.

Q. You have said you were a member of the executive committee?—A. Yes, sir.

Q. Were you a member of the first executive committee that was appointed?—A. My recollection is that I was.

Q. Have you ever since that time been a member of that committee?—A. Ever since.

Q. And you are now a member of that committee?—A. Yes, sir.

Q. Are you chairman of that committee?—A. Yes, sir.

Q. When were you first made its chairman?—A. My recollection is, at the organization of the district assembly.

Q. In this organization when did you commence consideration as to the propriety of the employés of the Missouri Pacific system striking?—A. Ever since the strike of 1885. We have local grievance committees at every point, and these local grievance committees have been annoyed by employés coming to them at any, or almost any, time of day, and almost every day, bringing cases to them of the violation of the contract of 1885. The thing has gone on until shortly before the meeting of the district assembly in Marshall, Tex., when I found it necessary to issue a circular to each local assembly on the system. I found that men on the system—sectionmen and others—had not had their pay restored according to contract. I found men were not paid for extra time, according to contract. I found that men were subjected to abuse by petty officers, and the question was considered in my mind until the meeting in Marshall. Previous to the meeting at Marshall I issued a circular to each assembly, asking these two questions. One of these questions was largely discussed in the local assembly, and was the wage that was being paid sectionmen. I asked these two questions: "Will you sustain your executive board should they demand or request \$1.50 per day for unskilled labor—that no less than that be paid for unskilled labor?" I found that in trying to adjust the grievances of these men with the railroad company—that is, the sectionmen and the yardmen—that the companies refused, or rather ignored, the idea that the contract entered into in March covered anything but shopmen, &c. The only way that I could see to settle the matter was to have a recognition of the organization, and that the employés, as belonging to that organization, should have their representatives admitted as counsel for them. So that one of the questions asked was, "Will you sustain your executive board in demanding the recognition of the order?" That was before the meeting at Marshall, and these points were brought before each of the locals, and it was only a question of time, in my mind, when the strike would have been ordered. Considering that we were not prepared enough at that time, I tried to put it off as much as possible. I had prepared a statement in regard to the matter, which I think will more intelligently bring the subject before you than by an isolated general statement, and more speedily than by examination. It is a written statement.

Q. Can you furnish the secretary of the committee with it?—A. I can, by putting it down in shorthand or having it copied.

(Witness proceeded then to read the following statement:)

The contract of 1885 reads that the rate of wages paid in September, 1884, would be restored to employés. This part of the contract, at least outside of shopmen, has never been complied with, thus leaving out sectionmen, yardmen, bridgemen, and others. This statement has been substantiated to you at most points in your travels on the system. One notable point near at hand, namely, at Chamois, none of the em-

ployés at said point having their wages restored up to the time of the strike, although the matter was frequently brought to the notice of the railroad officials by the local board. This case is not an isolated one by any means.

Again, the contract reads that should it become necessary for the company to reduce expenses it shall be done in the hours worked and not in the number of hands employed; said section of the contract has been repeatedly violated by master mechanics or superintendents discharging numbers of men without any previous notice being given. Such cases have come to my personal observation both in the Missouri Pacific Railroad and in the Missouri, Kansas and Texas shops; one case in particular, where a whole gang of sectionmen were discharged in Sedalia, and no cause alleged or notice given except that expenses must be reduced. So it has been time and again in the Missouri, Kansas and Texas shops at said place. Again, according to contract, ten hours should constitute a day's work, and all time over ten hours should be paid for at the rate of time and one-half time. No notice has been paid to this clause, at least outside of shop hands, and in shops only partially.

The clause has been flagrantly violated in the case of bridgemen and night round-house hands, the former having frequently, literally speaking, to be on duty as high as thirty-six hours at a time. The way that this is done is this. In moving from point to point the men are required to work all day, and after the day's work is done they are slapped on flat cars loaded with lumber or tools, without chance of sleep, or Sunday is utilized by the company for moving purposes. For this the hands receive no extra pay. In the case of the latter they are compelled to work from twelve to thirteen hours and get no extra pay. If they complain, the foreman, often with a curse, tells them if they do not like it they can go home, and that he (the foreman) will put some one else in their places.

On an effort being made by the executive board to adjust the grievances of section, bridge, or roundhouse men they were flatly told that the contract only covered shopmen, thus leaving out in the cold the very men who needed the most protection, namely, section or yard men, earning only \$1.10 per day, and perhaps only half time at that. Said cases have been brought before the railroad officials and either ignored or put off by a promise that was never intended to be carried out when made. Local committees in Saint Louis have presented to the highest officials here the articles setting forth these wrongs, but they have gone on undressed. But a time comes when "patience ceases to be a virtue," and the culminating point is reached in the discharge of C. A. Hall, of Marshall, Tex., a statement of which follows:

On February 15, 1886, a meeting of District Assembly No. 101 was held in Marshall, Tex., Mr. C. A. Hall, of Marshall, being one of the delegates to said meeting. On the morning of the 18th the said C. A. Hall, on going to his usual place of work, namely, the Texas and Pacific shops, according to promise made by him to the general foreman, Mr. Crosby, said promise being that he, C. A. Hall, should at stated hours each day during the district meeting visit the shops and give instructions to the men and likewise see that they had the necessary material.

Mr. BUCHANAN. I should like to know whether that part of the statement is given from witness's own knowledge, or information received?

The WITNESS. That will be given as information received.

Q. Will you be kind enough to state whether it is from the conversations of Mr. Crosby that it is given, or information from him?

A. It is from information by others.

The WITNESS (resuming statement). On attending to said duty and having occasion to open his desk, he found a letter therein from Mr. Crosby stating that his services were no longer required. On reading said letter he immediately went to see Mr. Crosby, and asked him the reason of his (C. A. Hall's) discharge, to which question Mr. Crosby replied, "absence without leave," and that he did not want him any longer.

Mr. BUCHANAN. Were you present at that interview, or was it reported to you by others?

The WITNESS. I was not present, but I have got evidence to prove it, and before I get done you will see it was so.

The WITNESS (continuing). Mr. Hall then came to the district meeting and reported his case, thus causing a commotion in said meeting. The almost unanimous opinion prevailing among the members was that the discharge of Mr. Hall at that time was a direct thrust or insult offered by the railroad officials to the organization, and on action of the members the case was referred to the district executive board for immediate action. Of that board I am chairman. On the case being presented to me I immediately went to work on the same in the following manner: Finding that there were four local assemblies in Marshall, and that each assembly had a local grievance committee, I immediately called said grievance committees together and consolidated them, instructing them to elect their chairman, which resulted in the election of C. M. Moore. I then instructed said chairman to have his committee go and see, or endeavor to have Mr. Crosby brought before them, and ascertain, by ques-

tioning Mr. Crosby, why Mr. Hall was discharged, said committee to report to me at the close of said conference, which they did, reporting as follows: That Mr. Crosby refused to reinstate Mr. Hall, and that Mr. Crosby had changed his cause of discharge to that of incompetency.

On hearing said report I determined to see Mr. Crosby myself, and called together the executive board for that purpose. We had a conference with Mr. Crosby in his office, and put to him the following questions:

"Q. Mr. Crosby, what are your reasons for discharging Mr. Hall?—A. Absence without leave."

To this I replied that I had sworn testimony in my possession from two parties who heard Mr. Hall ask leave of absence and knew that said leave of absence was granted. Mr. Crosby then replied that he had discharged Mr. Hall because he was incompetent. I then told Mr. Crosby that I had very flattering recommendations in my possession from some of the highest railroad officials, stating that Mr. Hall was thoroughly competent, and had put out more work than his predecessors. Mr. Crosby answered he did not care; he did not want Mr. Hall to work for him, and that if he was reinstated, it must be from higher authority. Then I put the question to him:

"Q. Mr. Crosby, will you, to harmonize matters, believing it to be to the best interest of the railroad company and employes, reinstate Mr. Hall?—A. No; the men would look down on me.

"Q. Do you not believe that instead of looking down on you that the men would have more affection for you in reinstating Mr. Hall?—A. No; I cannot reinstate Mr. Hall. He would do me dirt and undermine me.

"Q. Mr. Crosby, will you reinstate Mr. Hall if we give you our word of honor that if Mr. Hall neglects his duty or does any dirty work that we will not only sustain you in his discharge but insist that you shall discharge him, we believing such a man detrimental to the organization?—A. No; it would be too humiliating to me.

"Q. Mr. Crosby, will you, to save trouble and harmonize matters, reinstate Mr. Hall, if not as foreman, in the position he held in the coach shop previous to his becoming foreman?—A. No, I will not reinstate him."

At this I left Mr. Crosby, satisfied in my own mind that we had reached the culminating point or straw to break the camel's back, and that I could no longer smooth over the long list of grievances of the employes of the Southwest System, or hold back the demand from them that said grievances should be adjusted. But knowing that we had just passed through a severe winter, and many of the employes had no money ahead, I determined to make one more effort to stave off, for awhile at least, the almost inevitable strike; and hearing that Judge Pardee would pass through Marshall, I determined to board his car and lay the matter before him, which I did on his arrival. After introducing myself to the judge, I asked him the following questions:

"Q. Judge, is the Texas and Pacific road now in the hands of the United States Government?—A. Yes.

"Q. Judge, if in the hands of the Government, will the workmen be considered as Government employes?—A. Yes.

"Q. Then, Judge, if Government employes, they will be subject to laws and regulations governing such, will they not, such as eight hours for a day's work?"

This question rather touched the quick, and his answer was evasive, citing a deputy marshal in pursuit of a prisoner and when within reach of him said deputy ceasing pursuit when his eight hours were up. The comparison, I thought, was lame. Referring him to the trouble on the Texas and Pacific, he said that if any trouble existed that if I would send to the receiver at New Orleans, naming Governor Sheldon, that he, the governor, would either come or send a man to Marshall and investigate the matter. I immediately telegraphed to Governor Sheldon stating the case, and received answer that he would be in Marshall next day. On his arrival I boarded his car and had a very short conference with him, he stating that his business was so pressing that he could not stay over, but on his arrival in Dallas he would see Governor Brown and Colonel Noble, as they had more interest in that end of the road than he, and that he would bring them down on Saturday and look into the matter. I asked Governor Sheldon if I, with the executive board, had not better go up with him. He answered "no;" that he thought everything would be right. I then asked him—handing him the evidence in my possession, namely, the questions put to Mr. Crosby and answers, with the statement of Mr. Hall, and also Hall's recommendations from railroad officials, and asked him if he had not better take them along. He answered that it was not necessary, as Governor Brown would come with him, as they had other business at Marshall.

Saturday came, but no governors. On Sunday Governor Sheldon came alone, and again, on plea of pressing business, said he could not lay over, but thought that I had better go to Dallas, as they had taken their side of the evidence and were ready. I asked the governor if he would give passes for myself and board. He tried to evade this in every way, but finally consented to give two passes for the board and one for

Mr. Hall, and was careful not to give the passes to me, but gave them to Mr. Hall, thus, of course, ignoring us as a committee. Governor Shelden had seen Gould's tool, Brown, and was not himself studying over the situation. With the reluctance in giving passes and the manner of giving them, also that going to Dallas would cut me off from the books of the company, also all oral testimony, I thought that it cost nothing for railroad officials to travel and that Marshall was the proper place to investigate, and I concluded that they had better come there and so telegraphed Governor Brown and Colonel Noble. Receiving no reply to said telegram, after waiting until next day, I telegraphed Colonel Noble asking why he did not answer my telegram. An answer came back purporting to come from the operator, stating that Colonel Noble was not in the office. I immediately telegraphed that if Colonel Noble did not answer my telegram by next day at 2 o'clock that I would call out the employés of the Texas and Pacific. Receiving no reply, I did so, at 3 o'clock, instructions having previously been given to all employés to abstain from any act of violence, and that all local committees should see that any one committing violence be punished to the full extent of the law; also, that committees be appointed to protect company's property and see that passenger or mail cars be kept running and a requisite number of hands should be furnished at employés' expense. Thus the ball opened.

After the employés of the Texas and Pacific had been called out, at the request of the mayor and others a citizens' meeting was held at Marshall and a committee of citizens appointed to endeavor to bring about a settlement. After several telegrams had passed to and from railroad officials and said committee, the committee gave up their efforts in disgust, finding their services utterly ignored by said officials. Thinking that we could perhaps settle the difficulty on the Texas and Pacific, and in said settlement the grievances on the Missouri Pacific, I telegraphed and wrote to Mr. Kerrigan at Saint Louis to have the railroad officials at said place use their influence to have a speedy settlement of the difficulty and save calling out the Missouri Pacific. The answer was that they would be snubbed for interfering, thus bringing very forcibly to mind my first impression that the placing of the Texas and Pacific in the hands of a receiver was for the purpose of breaking up our organization; to give, if possible, a quietus to the effort of organized labor in the eight-hour movement, and, by depreciating the stock of the Texas and Pacific, fill more rapidly the coffers of Jay Gould. Seeing it was useless to attempt the settlement of grievances amicably, the Missouri Pacific employés were called out. Instructions were also given to them that no violence be permitted, and considering the number of men out I think said instructions have been well carried out.

Leaving Marshall on the 10th of March, I set out for Sedalia, and after being there for a few days, received a letter from Mr. Brelton, labor commissioner of Kansas, asking if I would consent to the governors of Kansas and Missouri acting as arbitrators to settle the difficulty, to which I replied that I would be pleased to have said governors bring about a meeting of the railroad officials and the executive board of District No. 101. After waiting several days for a reply to said letter, I again wrote Mr. Brelton, asking if any steps had been taken by the governors towards the end aimed at. I received a reply that Governor Martin had telegraphed Governor Marmaduke, but had received no reply. Previous to this I had received a communication from District 87, requesting me to call a meeting of five districts, namely, 93, 101, 107, 82, 17. I did so, and telegraphed Mr. Powderly to meet said districts at Kansas City. All responded that they would be represented. The meeting was called for the 18th. On said date all of said districts were fully represented, and Mr. Powderly was present. On the 20th, Mr. Powderly was notified that the governors of the two States named wished a conference with him and the executive board of 101; said conference to be held at the Coates House. Said conference being held, resulted in the following plan of action:

That the governors proceed to Saint Louis and have a conference with Mr. Hoxie, they, the said governors, to demand of Mr. Hoxie as a basis of settlement the carrying out of the contract of March, 1885, to the spirit and the letter, and to bring around a meeting with said Hoxie and the executive board. No good resulted from said meeting, Mr. Hoxie stating to the governors that the contract had not been violated, and that he would not treat or meet a committee of the Knights of Labor and would only treat with employés. But let us for a moment go back to Sedalia. On learning at said place that Mr. Hoxie had signified a willingness to treat with a committee of employés, I telegraphed to him that such a committee would wait on him at any time and place that he might name. Said telegram was sent by Mr. Sibley. Mr. Hoxie answered that he could not see any advantage to be gained from such meeting then. Let us to Saint Louis again. Immediately after the meeting of the governors with Mr. Hoxie, Mr. Hoxie again tried to impress on the public mind that he was anxious to settle the matter, and would meet a committee of employés for that purpose. To test his sincerity in that assertion, and to show to the public at whose door the continuance of the strike lay, I determined to again offer a committee of employés, and fortunately at this time a committee from Sedalia was suggested, con-

sisting of firemen, brakemen, and shop-hands, who went immediately to see Mr. Hoxie; but again Mr. Hoxie ignores the committee, stating that he could only treat with individuals, but referred them to Mr. Kerrigan. Mr. Kerrigan asked some of them the question if they were strikers, and on answer being made that they were out with the boys, he answered that he could not treat with them at all. So the committee left him. Shortly after this the general executive board of the Knights of Labor arrived in Saint Louis, and at the request of myself and others visited Mr. Hoxie, and were by him completely snubbed, he (Hoxie) refusing them the common courtesy of being seated; and you will remember that Hoxie even refused to see Mr. Powderly as a citizen, he to use his influence as such in bringing about a settlement. Things went on from this until a committee of citizens of Saint Louis endeavored to arbitrate. They also were ignored by Hoxie, but having the good of the whole community in view, they appealed to the executive board in the interests of the citizens, and with a like request from your committee, the executive board declared the strike off. You know whether or not the railroad officials have met the action on our part with the magnanimity expected of them by your own and the citizens' committee.

Mr. BURNES. Now, let me call your attention to the executive board and to the consideration of questions bearing upon the strike. What would you say was the first question to which the attention of your executive board was directed after you were made chairman of that board?

The WITNESS. You have reference to the grievances?

Q. Or to any matter or thing that induced you to believe that a strike would become necessary in order to secure the rights of the men?—A. Well, sir, as I said before, the local grievance committees were being approached by men at all hours and times, by men bringing to them instances of a violation of this contract. It was in regard to over-time and to men being discharged without notice being given.

Q. When did you commence the consideration of these grievances?—A. Shortly after the contract was entered into.

Q. Then when your executive committee was organized you went at once to the consideration of such questions?—A. Yes, sir.

Q. (By the CHAIRMAN.) Did I not understand you to say that you had been a member for nine months?

The WITNESS. Over a year, sir.

Q. (By Mr. BURNES.) These grievances that came before you were first in regard to the bridges. Was that a subject about wages?—A. Yes, sir.

Q. You have stated the grievances, and it has been stated by others, as matters of which the bridgemen complained?—A. Yes, sir.

Q. Did the trackmen present any grievances?—A. Yes, sir.

Q. Did they do it directly or through others?—A. Directly in the locals, and the local assemblies have presented them to me.

Q. You do not know that they presented them to the local board?—A. Yes, sir.

Q. Were you present when trackmen presented them to the local board?—A. I have been present on several occasions when these men have come before the local board and stated their grievances.

Q. Do you remember when these grievances were presented to the local board?—A. No, sir; I can only state that it has been ever since the strike in March, 1885.

Q. Commencing with March, 1885, when did the first complaint come to you, of your own knowledge, directly from any trackman?—A. Well, I cannot tell you any more definite than to say that shortly after. The men would be telling me about them all the time, and I would refer them to the local assembly.

Q. Did these grievances as a rule come from the men themselves or others representing them?—A. Mostly from the men themselves.

Q. I will ask you if the local assembly did not direct some one or more members to go out among the men and ascertain from them their grievances?—A. Not at that time.

Q. Was any such action taken?—A. Not that I know of.

Q. Were you present at our examination at Sedalia?—A. No, sir; understand this, that each local at each point has a grievance committee. It is not their duty to pry into grievances, but simply to try and adjust grievances after they are brought before them.

Q. Then these grievances came to you as chairman of this district board?—A. Yes, sir.

Q. From the bridgemen, from the trackmen, and from the switchmen. Did any come from the wipers and hostlers?—A. Now, in regard to the bridgemen, I will say this, that the grievances have been presented to me in writing by one or more locals. About the bridgemen I personally knew very little until the point had been presented to me by the local board. Trackmen I know of.

Q. What do you say about switchmen, wipers, and hostlers?—A. That I know of.

Q. You know that they were complaining?—A. Yes, sir; continually complaining; and just as I say in my statement here, that when they did complain the foreman would curse them.

Q. What other class of men in the shops?—A. The apprentices are complaining a great deal in regard to the small pay they get. I have got a paper here on that very subject that would be of some value to the committee. I think I have got it here.

Q. What paper is that?—A. It is a paper referring to apprentices and their pay, and gives you the addresses and everything else.

Q. What knowledge have you that this is a correct statement?—A. To the best of my belief it is correct.

Q. What investigations have you made as to the facts?—A. I have made only a partial investigation.

Q. Have you consulted with the men?—A. I have with some of them.

Q. Have you seen the pay-rolls?—A. No, sir; I have not.

Q. Have you seen them with their checks?—A. No, sir. You have the addresses of the parties there and everything, and the facts can be easily ascertained.

Q. What particular cases on this paper have you investigated?—A. Well, I do not know that I could state the particular names. I could not even give you names of men in the shop. I know the faces of many of the men that come before me, but I am a poor hand for names, the same as I am with dates; and in the shops the hands are more or less known by their given names. For instance, in my case I am called Martin, and am never called anything else in the shops. It is more familiar.

Mr. BURNES. This may go on record for whatever it is worth.

The document is as follows:

Names of apprentices.	Time served.	Amount paid.	Address.	Trade.
<i>Missouri Pacific.</i>				
	<i>Years.</i>			
Ed. Tussey.....	3	\$1 50	East Fourth street, Sedalia.....	Boiler-maker.
Mike Scalley.....	1½	1 25	East Third street, Sedalia.....	Do.
Jas. Mnicahy.....	1½	75	East Howard street, Sedalia.....	Do.
Mike Burns.....	5	1 40	East Fourth street, Sedalia.....	Do.
Barney Drew.....	2	1 00	East Ninth street, Sedalia.....	Do.
Julius Fisher.....	5	2 00	Washington avenue, Sedalia.....	Machinist.
Frank Roper.....	5	2 25	East Broadway, Sedalia.....	Do.
Gerald Holcroft.....	5	1 65	Corner Sixth and Summit, Sedalia.....	Do.
Frank Holcroft.....	4	1 50	503 New York avenue, Sedalia.....	Do.
Ed. Kent.....	4	1 50	West Sixth street, Sedalia.....	Do.
Ed. Howe.....	3	1 00	East Fourth street, Sedalia.....	Do.
Jos. Geimer.....	3	1 25	Corner Grand avenue and Main street, Sedalia.....	Do.
Jas. Drew.....	3	1 25	West Fourth street, Sedalia.....	Do.
John Gladhill.....	3	1 75	Latour's block, Ohio street, Sedalia.....	Do.
Frank Nevill.....	*3	1 50	East Ninth street, Sedalia.....	Tinsmith.
John Shack.....	3	1 25	Sedalia.....	Machinist.
Tim Sullivan.....	2½	1 00	732 East Third street, Sedalia.....	Do.
Dan Nevell.....	2	1 00	East Ninth street, Sedalia.....	Do.
B. McComas.....	2	1 00	East Fourth, corner New York avenue, Sedalia.....	Do.
Theo. Slack.....	2	1 15	Sedalia.....	Do.
Frank Izenheart.....	1½	1 00	1116 East Third street, Sedalia.....	Do.
B. Brady.....	3	1 75	East Howard street, Sedalia.....	Do.
Jos. Goldstein.....	3	1 25	Sedalia.....	Tin and coppersmith.
John McClain.....	1½	75	East Howard street, Sedalia.....	Do.
<i>Missouri, Kansas and Texas shops.</i>				
W. Weidermorn.....	3	1 75	East Fourth street, Sedalia.....	Carpenter.
W. Bungardner.....	6	2 00	East Thirteenth street, Sedalia.....	Do.
Hy. Hanson.....	5	1 75	East Thirteenth street, Sedalia.....	Do.
Jno. Jamison.....	3	1 75	Twelfth and Lamme streets, Sedalia.....	Tinner.

* Part of time in Ohio.

The above is statment of apprentices at Sedalia. There are several others who have not yet handed in their account, but this shows condition of them on an average.

H. J. MURRELL, R. S. 3654.

Q. (By Mr. BURNES.) What other classes of men had grievances that were presented to you?—A. The bridgemen.

Q. We have spoken of the bridgemen, trackmen, wipers, and hostlers; were there any complaints from other classes of men?—A. Not that I remember of.

Q. When your executive committee did seriously begin consideration of the strike, what questions were taken up? On what did you deliberate——?—A. We decided to strike.

Q. When you were considering the question of the strike?—A. Well, as I have stated, the violations of the contract in not restoring the pay; the overtime worked that was not being paid for, the bridgemen who had been hauled about or traveling without being paid for it; the section men not receiving their pay back—that is, the wages restored; and, then, we considered that the wages even were too small for them; that they could not live on them, as they frequently have only half time.

Q. When did you finally conclude as a committee to order the strike?—A. As I told you, we were prepared to order a strike at any time. I told you that that circular asked these two questions. That was before the discharge of this man Hall. That was before the meeting of the district assembly at Marshall.

Q. Did you receive responses from any of the local assemblies?—A. All of them.

Q. They had all answered you that they would sustain you, prior to the discharge of Hall?—A. Yes, sir; in demanding these questions.

Q. How long before the discharge of Hall had your committee reached the conclusion that if it were sustained by the local assemblies a strike would be ordered?—A. Well, we had not thoroughly made up our minds when the strike would occur. We thought the submission of those two questions were necessary, and I took that precaution individually.

Q. When did you first conclude that it was necessary to strike?—A. After the discharge of Hall.

Q. So that you would not have given the order to strike at the time you did but for the discharge of Hall?—A. That precipitated it.

Q. You regarded that as the last straw upon the camel's back?—A. Yes, sir.

Q. You say that these men, your associates in the employment of the company, had all these grievances for eight or nine months, probably suffering in consequence of the alleged wrongs that were done them. To what general officers of the company, who had power to redress wrongs, did you ever present any of those grievances?—A. I have not presented grievances to the general officers.

Q. Not any?—A. I do not consider it is the place of an employé to present grievances to the general officers. If I had gone to see Mr. Hoxie to put grievances before him, Mr. Hoxie would refer me to Mr. Kerrigan, Mr. Kerrigan would refer me to somebody else, and the third one to some one else. And I do not consider that Mr. Hoxie or Mr. Kerrigan are the proper parties for the employés to leave grievances before. I believe these grievances come before the master mechanic in the case of the shop men, and in case of the yard men to the yard-master; and it is then their place to take it to the higher officials. I predicate this belief on the fact that if I was master mechanic and a grievance was presented in the shop and the employé was to take the grievance before higher authorities without first submitting it at least to me, and the higher authorities—that is my superiors—would act upon that grievance without referring it to me, I would consider it an insult certainly.

Q. How many master mechanics are there—only one for the whole system?—A. There is one at every point where there is a shop.

Q. As the practical head of the order in this district, and certainly an intelligent gentleman, are you not aware, or were you not aware, that there should be some general officer to establish rates for all these shops; or should one master mechanic establish a rate independent of another, each on his own judgment? Did it not occur to you that you should have a settlement of these grievances, as far as the men in the shops were concerned, with some general officer, who had power over the whole line and over the whole subject?—A. There is no question but what a general officer ought to be over that, but when a grievance exists with an employé, the master mechanic represents the higher official to them, and only through them ought to come their grievances.

Q. Would it not have been better for you, who have undertaken to represent the laboring men so largely, if you had overstepped mere questions of etiquette and propriety and gone directly with the grievances to some one who had the power to redress them?—A. Understand me, that I do not stoop to a question of etiquette. That is not the purpose; no, sir. I meet you, and you will say that I had to deal with Mr. Kerrigan, and so on.

Q. Did you tell Mr. Kerrigan of these wrongs that were being done the men?—A. Well, I think I told him of the Texas and Pacific, that is, in regard to Hall. I have told Mr. Kerrigan one or two points before.

Q. You say you told Mr. Kerrigan about the wrong done to Hall?—A. Yes, sir.

Q. That was only a few days before the strike?—A. Yes, sir.

Q. In all the preceding months of these wrongs what communication did you make to Mr. Kerrigan?—A. There have been communications made by local boards; personally, I have none.

Q. You made no personal application to Mr. Kerrigan?—A. I have made them personally, but not before him, and for the simple reason that several of the grievances I was led to believe had been presented to Mr. Hoxie prior to me becoming chairman of the executive board.

Q. Did Mr. Kerrigan ever refuse to listen to any proposition that you had to present to him for the happiness and rights of these men?—A. I have never had but one conference, in regard to one grievance, with Mr. Kerrigan.

Q. What was that?—A. In regard to the discharge of the man at Kansas City, named W. T. New. This man had been a nuisance. He was a tyrant among the men. These matters had been brought to the notice of the officials, and I believe to Mr. Kerrigan's notice by the local board at Kansas City. They had been brought very forcibly to the notice of Mr. Sibley, and when there was no likelihood of their being redressed I took hold of it. I knew Mr. Sibley knew all about it. It had been going on for some time, and it was known that this man New was selling jobs. The man that gave him the most money got the best job. The man that made him the biggest present got the best job. These facts were brought to the attention of Mr. Sibley; and once I went to see him about it. He said he had investigated the matter, or sent one of his subordinates to investigate him, and he told me that he could not see anything to discharge the man for. I referred him to the statements, where Mr. New had been taking presents, &c. I told him if he could not see anything to discharge the man for in that I did not think he would be treating the company right, and certainly not the employees; and that if he did not discharge him after the efforts that had been made I would be compelled to call out a strike. Finally Mr. Kerrigan was sent for, and he came out and adjusted the matter; but this had been going on for some time. The propositions are that I should have taken the grievance to Mr. Hoxie personally, that he would have referred it to Kerrigan, and Kerrigan would have referred it back to Sibley. From that now I would just like to explain the *modus operandi* in this case. I know that men have subordinates that are favorites, these subordinates have their favorites, and so on we come down to the laboring man. The consequence is, if we bring the case before Mr. Sibley, he sends his subordinate to investigate that matter. These grievances may occur on account of the one next in charge. Mr. Sibley, very probably, will send his subordinate to investigate the matter; but we having no person present when the testimony was taken, it was all one-sided. I mention this to show you how it is done, so that you may understand how they manage to make the testimony. I know of a case of an engineer giving his testimony. I believe he was the second or third witness taken. The testimony was taken by the railroad officials, and he refused to sign any such thing. We find that our greatest grievances come from the abuse of petty officers. There is no question of that.

Q. Then the petty officers, so far as the trackmen and the shopmen are concerned, must be confined to other matters than the pay or compensation of them? These local foremen have no power over the general subject of regulating the wages for any part of this system of railroad?—A. No, they have not as I believe.

Q. The failure to pay workmen time and a half for certain work, the wrong to bridge-men in transporting them at night time without compensating them for the time consumed in traveling, and other like matters, must necessarily come to some general officer?—A. These grievances have been put before the general officer by the proper authority, and since the strike was made.

Q. You did not present any?—A. No.

Q. About that matter of Mr. New, which you say Mr. Kerrigan rectified by discharging him, do you know if Mr. New had been complained of at Atchison, and out of regard for the men that the management had sent him from that place to Sedalia?—A. I do not know of his ever working over at Atchison. At Sedalia Mr. New went there and the same thing was pursued by him there as at Kansas City. I have known that man come into the shop and curse a man for comparatively nothing, and order him to quit forthwith.

Q. There was an unbroken line of witnesses at Sedalia in support of the liberality and humane and gentlemanly consideration of all grievances on the part of Mr. Sibley. Did you ever find Mr. Sibley indisposed to listen to any grievances that you presented?—A. I found Mr. Sibley always a gentleman; but he has been led by subordinates in investigating matters there, as in New's case.

Q. Sometimes a man may be misled by subordinates. But as far as you know have you found that Mr. Sibley was always willing to listen to grievances that you had to present?—A. He did everything in his power to rectify wrongs done to the men. He must have done everything in his power. I have always considered that he was a gentleman and treated any employé as such.

Q. You never had any difficulty in approaching him?—A. The men all agree that Mr. Sibley is a gentleman.

Q. Had you any difficulty in approaching him?—A. Not at all.

Q. He always listened to you attentively?—A. Yes, sir.

Q. Did you not find Mr. Kerrigan just as willing to hear you?—A. I will say for Mr. Kerrigan the first impression I had of him was not a very good one; but I believe Mr. Kerrigan is a gentleman.

Q. Do you not know that Mr. Kerrigan, among his associates on the line, is considered as the most gentlemanly superintendent on this line of railroad and that he has at all times manifested a willingness to listen to grievances and to have them considered?—A. As I said, I have had only that case before Mr. Kerrigan. In the case of New. My idea of Mr. Kerrigan is that I believe that Mr. Kerrigan is a man that would go as far as he could and be as fair as he could with the employés; but then he is subject to the orders of the officers.

Q. And may be misled. Is not that the general estimate of Mr. Kerrigan by the employés of the road?—A. Well, I believe it is, sir.

Q. Do you remember when the first demand was made for the boycotting of the Wabash system of roads?—A. No, sir. Well, I remember—yes, I remember it.

Q. Who was the mover in that matter?—A. Well, it was the organization, not the district assembly. There was what was called a grievance committee—a general grievance committee. I do not know all the members that composed that committee; but I think at that time R. W. Drew, of Sedalia, was chairman of it, and a man by the name of Palmer who testified before you the other day was in that boycott. This man Palmer had presented the grievances from the committee to the officials of the road—the same grievances that are represented here.

Q. Were you acquainted with the circumstances that led up to the demand for this boycott on the Wabash?—A. I do not know that I am conversant with that thoroughly.

Q. Do you understand what reason your associate officers or brethren gave for that demand for the boycott on the Wabash?—A. Well, yes. The principles of the order are broad. We consider that the "injury of one is the concern of all," and at that time we considered that the men on the Wabash were badly treated, and they had just grievances and that it was our duty to support them as far as we could.

Q. Then your understanding is that the employés of the Wabash system had grievances against the management of that system, and that under the principles of the brotherhood this demand was made upon the Pacific road in their behalf?—A. That it was done to enable the men on the Wabash system to obtain redress of grievances against the Wabash system.

Q. Do you remember about the time that this occurred?—A. I am not positive about the time.

Q. Was it last year, as late as last summer or fall?—A. It must have been early in the summer, if my recollection is right.

Q. Was the Wabash road then in the hands of a receiver or receivers?—A. I believe it was, sir.

Q. I understand that the Wabash has been in the hands of a receiver since May, 1884. This was since that time. Were you not aware, then, that you were asking for a boycott against a road that was under the control and operation of the United States court?—A. I had no action in the matter at that time.

Q. Did you ever talk with Mr. Drew upon the subject?—A. I do not believe that I ever did.

Q. Did you ever go with Mr. Drew to any general officer?—A. I do recollect one morning that Mr. Drew talked to me something about bringing out the employés. I told him he had no authority to do it. I do not recollect of having any talk with Mr. Drew about the boycott.

Q. Can you tell me what were the demands made on the Wabash?—A. As I told you, I am not very well conversant with that action so as to talk intelligently upon it, for I did not study anything in regard to it.

Q. Do you not understand what that boycott demanded?—A. I think I saw a few circulars there were printed.

Q. Did it apply to transportation on Wabash cars?—A. I cannot say. If there was a boycott that would be the natural result.

Q. Did it extend to a refusal to interchange business between the two roads?—A. As I say, I am not thoroughly or anything like conversant with that subject at all. It is a matter that I did not study at all.

Q. Then you can give us your general understanding.—A. I would rather not answer questions that I am not conversant about.

Q. We will make all due allowance.—A. The only thing I know of about the Wabash that I may say I am conversant with is I know there were subscriptions taken up among the men for the support of the Wabash hands, and outside of that I do not know anything. That is the only thing that I can intelligently give testimony about.

Q. Do you say that you had no general understanding of what was to be done as against this Wabash road?—A. I do not, sir.

Q. Do you know that on the Missouri Pacific system when the demand was presented by Mr. Drew there was a consent to the demand, and that the officials did consent to what we call the boycott on the Wabash?—A. I do not know.

Q. Did you ever see any Wabash cars set out of trains?—A. I cannot say that I have for that purpose.

Q. Did you ever see any Wabash cars where the freight was taken out of them and put in cars of some other line?—A. I never have, sir. I have never known that to be done for that purpose, and, in fact, I do not know that I have ever noticed Wabash cars boycotted at any time, either before or since.

Q. Was any demand made upon the general management in regard to boycotting the Texas and Pacific prior to the discharge of Hall?—A. Well, yes, sir.

Q. When was that?—A. Shortly after the discharge of Hall.

Q. None was made before that?—A. None that I know of, sir.

Q. Do you remember to what the boycott extended? What was the Missouri Pacific to do or refuse to do with reference to the Texas and Pacific?—A. The object of a boycott was to stop, as far as possible, the traffic on the Texas and Pacific road.

Q. Well, it was to prevent the Missouri Pacific system from transporting freight over the Texas and Pacific to Texas?—A. Yes, sir.

Q. You have heard the testimony in regard to the car-load of hogs at De Soto, and you remember that it was said the reason that your brethren interfered against the transportation of that car was that it was a Texas and Pacific car, which the Missouri Pacific had no right to transport under the existing boycott?—A. I did not hear the testimony, nor have I heard it.

Q. Do you know of any case in which the strikers or Knights of Labor objected to the transportation of cars of the Texas and Pacific?—A. Personally, none, sir.

Q. Do you know of any instance where freight has been changed from a Texas and Pacific car to a Missouri Pacific or other car?—A. I do not.

Q. Was the matter in regard to this strike and ordering boycotts ever talked over between you and anybody?—A. Well, yes; I believe I have talked about boycotts to several.

Q. I am not speaking of boycotts in general, nor of the boycott in this strike; but was that a boycott against the Texas and Pacific?—A. Against the Texas and Pacific? I have talked about a boycott, but as far as talk is concerned that would not be affected by anything that I could say. I would be simply a request. I might simply request, and the Missouri Pacific had a right to do what they wanted about it. I could not have the power to make it, nor had I given any orders for it. It was simply a request that it should be done.

Q. Mr. Irons, you were the chief officer of Assembly No. 101, and had the government of and control over several thousands of human beings. It seems that your action was to be sustained by all local assemblies, or by the brotherhood of all local assemblies. Is it not fair to assume that a large majority in those local assemblies were ready to act without understanding your motives or your objects, merely on their faith in you, and that they were willing to follow your leadership?—A. Yes, sir; I believe I had the authority to order the strike.

Q. I am not speaking of the authority but simply the influence you had. You were in a position as practical governor of your order in this district, holding a position to your people similar to that of Governor Marmaduke with the people of Missouri. Being in authority, holding that position, and enjoying the confidence and trust of so many thousands of laboring men, many of whom were suffering alleged wrongs connected with their wages or compensation and with other grievances—knowing this, did you not know that they were called upon for assessments to sustain their striking brethren on the Wabash system, and that they were lending you and Mr. Drew and other representatives of the order necessarily subordinate to you their power and their influence in behalf of the boycott against a connecting railroad which furnished business for the very line for which you all worked? You must have known that the ability of the company to pay wages to these men depended upon its ability to do business, and when you were depriving the company of the business that it could do by a friendly connection with another road were you not diminishing its revenues and resources and disabling it so that it was less able to raise the wages of your brethren and reward faithfulness and good conduct on their part?—A. That was a question that could not be very well put at that time; and, as I stated before, I had no authority except simply to ask the men at the different points to request the Missouri Pacific to do it.

Q. Have you protested against this boycotting of the railroad?—A. No, sir.

Q. Did you take any part in the direction of preventing it?—A. I did not, sir.

Q. Will you, as an intelligent representative of your order, tell me what good can be accomplished for the masses of men whom you represent by such a demand? Is it pos-

sible for you to conceive of any good to them that could follow the establishment of this boycott?—A. Well, yes, sir.

Q. Please state what it could be.—A. I believe it would be less needed in our organization when the employes had the power to get their rights without resorting to a boycott and stopping the traffic on the road that was boycotted. I think certainly it would benefit the different men running that road, and I believe it would do a great deal of good to the men by adjusting their demands.

Q. Are you aware, or is it a fact, that the laws of the State of Missouri require that one railroad shall have practical connection with another, so as to receive and interchange business the one with the other?—A. I am well aware of that, and am likewise aware of another thing, that the charters of the railroads compel the railroads to run them and without any question of the law as to what wages they may pay their employes.

Q. You are aware of the fact that the laws of Missouri require a company to interchange business with all other railroad companies connected with it?—A. I do. I have said that it was brought to my notice.

Q. Were you not then aware that Brother Drew and others, in demanding this boycott on the Missouri Pacific system, were making a demand that was a violation of law?—A. I do not know that any such demand was made.

Q. If it were made, were you not aware that it was in violation of existing law?—A. Well, no, sir.

Q. I understood you to say that it had been brought to your notice that such a law as that was in existence?—A. I likewise say I do not believe we have the power to demand a boycott. It is only a request.

Q. You mean that Mr. Drew did not make a demand, but simply a request?—A. I do not know that he either made a demand or request. I do not know for certain that he did—that is on the Wabash.

Q. You said that was your understanding, did you not, that a demand was made on the Missouri Pacific to refuse to interchange business with the Wabash?—A. As I told you, I was not conversant with that at all. I do not know whether a boycott was asked for by Mr. Drew or a demand made that they should boycott that road.

Q. What position did Mr. Drew hold?—A. He was chairman of what is called the grievance committee, a committee in existence before the organization of the executive board.

Q. How does it happen in your organization that the chairman of a local grievance committee can undertake a strike and make a demand that affects the whole system of the Missouri Pacific without the knowledge or consent and without the power or authority of the representatives of the joint assemblies of District No. 101?—A. Well, Mr. Drew was chairman of a committee previous to the organization of District Assembly 101, and as chairman of that grievance committee he had greater powers than I possess now.

Q. Then the boycott was ordered before the constitution of 101?—A. Yes. To explain myself in regard to him having more power than I have now, I will state that I have always opposed one-man power, and have so advocated both in the local assemblies and in the district assemblies. We have a government of a majority, depriving the chairman himself of that power. The chairman of the executive board now can only order a strike after referring it to every local assembly on the system or in the district. He is simply an executive officer, and has no legislative power.

Q. You have said that this executive committee of District Assembly No. 101 was organized about nine months ago?—A. It was organized in September last.

Q. The Wabash was in the hands of a receiver in May, 1884, a year or more before the organization of your executive board?—A. Yes, sir.

Q. At the time that Mr. Drew made this demand, if he made it, there was no executive board of District Assembly 101?—A. No, sir.

Q. Was each local board acting independently?—A. No, sir.

Q. Was there any general authority over the local assemblies prior to the organization of District Assembly 101?—A. There were delegates sent from each assembly or each division. For instance, there may be four or five assemblies in one town. Very probably these assemblies would get together and send only one or two delegates from that town; but do not understand that each assembly was represented in this convention. In this convention this grievance committee was formed with power to act.

Q. Then this committee was in the nature of the executive committee of District No. 101?—A. Yes, sir; only with larger powers.

Q. Had you ever any conversation with any of the authorities of the road in regard to the matter so far as you are concerned?—A. In regard to the boycott on the Wabash? No, sir.

Q. Did you in regard to that on the Texas and Pacific?—A. No, sir; I did not. Well,

hold on; I had, but it was after the strike, not previous to the strike. I had a conversation with Mr. Sibley the day after the strike.

Q. Will you state what that conversation was?—A. Well, I believe Mr. Sibley asked me why I did not hold on the boycott. I think that was all that passed. He said, to the best of my recollection, "Why don't you hold on the boycott, and rest at that?"

Q. To what boycott did he allude?—A. The boycott on the Texas and Pacific.

Q. Had you demanded a boycott?—A. I never asked them to put it on.

Q. What did you understand Mr. Sibley to mean by that remark?—A. Well, I understood there was a boycott on, and he asked me why I did not hold on to that.

Q. Do you mean that Mr. Sibley intimated that he desired the boycott to be continued?—A. He thought that there was more to be accomplished by a boycott than a strike.

Q. He preferred a boycott to a strike; but that was all the conversation you had with him?—A. That was all the talk we had that day.

Q. Have you any other answer than that to make?—A. No, sir.

Q. Had you any conversation with Governor Brown in regard to the boycott?—A. No, sir.

Q. You spoke of a desire to get recognition for the order. In making such a demand as that, or in acting in reference to securing recognition, had you the consent and cooperation of the general organization, as represented by Mr. Powderly, or were you acting unaided and alone as the representatives of District Assembly No. 101?—A. I was acting as the representative of District Assembly 101, and had no conference with the general assembly on the matter. I was thinking by having recognition for the order I would gain a great deal for the employes, and that it would by that means we could bring in these men who were not considered as being covered by the contract.

Q. Had you or your executive board at any time asked for the interference of the general representatives of the order?—A. No, sir.

Q. Did you call upon them for assistance?—A. For assistance? Not until the general board had offered it.

Q. Not until they had tendered it?—A. No, sir.

Q. When the tender was made, you understood by whom it was made?—A. Well, in making this statement, I want it understood that the proposition was made not by a quorum of the general board, but simply as individuals; not acting in the capacity as a board. There was no quorum of the board in the city at that time, hence they could not act as a board; and anything I would say on that subject would not be taken in the actions of the general board, nor of myself as representative of 101.

Q. Will you give me the names of the gentlemen who tendered this assistance and service?—A. Well, yes, I can give you the names. The ones I had a conversation were Messrs. Bailey and Hayes.

Q. Had you any tender from Mr. Powderly?—A. None, sir.

Q. What did they tender?—A. They did not make any tender; they simply asked me questions; if they should do certain things, what benefit would it be to the employes of the Southwestern system. There was no real tender made, because they could not make a tender of it. They had no authority.

Q. Did you request them or authorize them to interfere then?—A. No, sir; it simply came round in rather a conversational manner.

Q. Did you consult your committee in regard to accepting their tender or offer?—A. I did not, sir.

Q. Was there a special offer by the committee of their services?—A. No, sir.

Q. You have said, I believe, that there was no quorum of the general management of the order present when these gentlemen were sent out here?—A. Yes, sir.

Q. Then these men who called upon Mr. Hoxie were not duly authorized by the general government of the order?—A. Well, I am not so sure but that there were three of them then; but I would not be positive about it.

Q. Under the system of government of your order they had no authority to act here without your consent?—A. I think not.

Q. You did not authorize them to go to Mr. Hoxie as your representative?—A. We asked them to go.

Q. Did your committee, or did you individually, request them to go?—A. Yes, sir.

Q. I understand you to say that you did not consult your committee in the matter?—A. Yes, sir; they were requested by myself and the committee to go to Mr. Hoxie. I wanted anything done that could be done for a settlement, and have taken every means in my power to bring about a settlement. But, as I have said, in making any settlement, I wanted something that would be hung up in the hall or in the shops so that we could do away with this continual making of little grievances that was so annoying—it was certainly annoying to the committee. I wanted something substantial, and if an employé

violated it I wanted him thrown out as quick as I would have the company redress a violation they made.

Q. Were these contracts of March 15, 1885, and May 25, the same year, read out in your assembly?—A. I think they were both read in the assembly, and posted in some of the shops, at least.

Q. Were they posted up in the rooms of the assemblies?—A. No, sir; not as a general thing, at least.

Q. Were the men generally informed as to the provisions of these contracts?—A. Yes, sir; I think so.

Q. In any of your consultations concerning the strike, were any other causes of grievance considered than those you have mentioned?—A. Than those enumerated?

Q. Yes, sir.—A. Well, I believe that embraces the grievances on the system; but I would rather you would go over the list of grievances.

Q. Did you ever take into consideration the effect of the existing mode of payment by the company to the men? Is it a disadvantage to them?—A. The mode of payment? Well, not that I know of, sir.

Q. It never has occurred to your committee, then, that there was any cause of complaint because of the mode of payment—say on or about the 15th of April, as pay day for the work done in the whole month of March?—A. Well, that has been frequently spoken of to myself by individuals; but that has never been brought forth as an existing grievance. It has been frequently complained of, and I think it amounts to a greater disadvantage to those that have to pay for their meals, &c., than if they were paid weekly.

Q. Does it become a necessity that the men should create bills for the necessities of life at stores under the control or management of any one connected in any way with any officers of the company?—A. Well, I think not, as a general thing; but in some cases I believe it does.

Q. Did the stores at which the men procured their supplies sell at the ordinary rate, at a reduced rate, or at an increased rate, on account of the credit they had to give?—A. From what the general impression is, they charged a higher rate.

Q. Do you know whether the bills of the stores are deducted from the pay-roll and paid directly by the company to the merchants?—A. As far as my personal observation goes, I have not seen it; still I have been told that it is done on some parts of the system.

Q. Suppose your committee had power to order a boycott, have you any reason to believe that the order would be obeyed?—A. Suppose that our committee had the power to order a boycott; our committee has no authority to order a boycott without first putting the matter before the assemblies. This old committee had the power, perhaps, to do such things; but, as I told you, I am not given that much power.

Q. When you had fully considered the questions of grievances on the part of the employees of this system you submitted resolutions to the local assemblies for their action. Have you copies or can you give us copies of the resolutions sent to the local assemblies for their consideration and action?—A. This circular that I issued, you have reference to that?

Q. I do not know the form in which you do it, but as I understand it, when the executive committee have made up their mind that a strike is necessary, you send out a document, as a precautionary measure, to the local assemblies, asking them if the action of the executive board will be sustained in case it orders a strike. Have you copies of the papers that were thus sent to the local assemblies?—A. I have not, sir.

Q. Can you furnish us copies?—A. I might not be able to get one.

Q. Do you not keep a record of Assembly No. 101?—A. Yes, sir.

Q. Would there be any difficulty in obtaining a copy of those records and sending them to us?—A. At what place?

Q. At Washington?—A. No, sir.

Q. Will you do that?—A. Yes, sir.

(Mr. Buchanan here handed to Mr. Burnes the copy of the hectograph circular containing the propositions referred to the local assemblies which had been obtained by the subcommittee from Mr. Lovin at Fort Worth, Tex.)

MR. BURNES (to witness and handing him the paper). Look at that, and see if it is a correct copy?

THE WITNESS. It must be my signature. That is not my signature, sir.

Q. Do you believe that to be a copy of the circular sent to the local assembly?—A. I do not know, unless their seal was attached; and there is no seal to it.

Q. Take the substance of it and say do you recognize it as a probable copy?—A. Well, it may be; I believe it is pretty near a copy, if not a copy.

Q. Then we will rely upon you to send a copy to our chairman, Governor Curtin, at Washington. Does that order relate to the Texas and Pacific as well as the Missouri Pacific?—A. I have not read the whole of it

- Q. Were there more than one order issued?—A. Yes, sir.
- Q. Will you send copies of all orders?—A. I will try and do it. In regard to the signature on that paper, I will say it is not my signature, but might have been put there by my authority.
- Q. Were you personally acquainted with Mr. New?—A. Yes, sir.
- Q. He lived in Sedalia?—A. Yes, sir.
- Q. Was there any complaint against him while he lived in Sedalia?—A. Yes, sir; frequent.
- Q. Do you know why he was removed to Kansas City?—A. Well, I think when the superintendents were removed he was changed to Mr. Sibley at Kansas City from the fact that there had been a discharge made at Kansas City.
- Q. Are you certain that complaints were made against him while yet at Sedalia and before he went to Kansas City?—A. They were to the master mechanic at the time that he was general foreman at Sedalia. Newall was the master mechanic.
- Q. In speaking of complaints that were presented to your executive board by the local assembly, do you remember whether any of them antedated March 15, 1885—any complaints by the bridgemen or any other employes prior to March 15, 1885?—A. That would have been presented to me?
- Q. You did not consider anything prior to March, 1885?—A. Not until after September.
- Q. Are you not aware of the fact that the compensation to apprentices, or the prices paid to them, was increased just prior to the strike?—A. It did not come to my knowledge if it was. It certainly was not in Sedalia, sir. I know that it was refused the apprentices on their own application.
- Q. Do you know whether the persons whose names are on the paper that has been presented here are members of the order?—A. The names of these apprentices?
- Q. The names of those apprentices?—A. Well, not all of them.
- Q. What proportion are members of the order?—A. I do not know.
- Q. Did you formulate a list of grievances after the strike of March, 1886?—A. Formulate a list of grievances? I got up a regular list as a basis of settlement, to be ready should we come to that point.
- Q. Did the list of grievances that you got up after the 6th of March extend beyond the grievances that were passed upon by the local assemblies and transferred to the general executive board?—A. Well, yes, sir. I aimed to embody all the grievances, to bring up the general thing and settle it all at once. This was never presented to the railroad corporations, from the fact that they never gave us a chance to do it; but I made out that list as a basis of agreement, and of course we expected to get it in.
- Q. Have you knowledge of the fact that individuals were selected to go round among the employes to find out grievances so as to secure as universal an expression of dissatisfaction as possible after the strike?—A. I have no knowledge of it.
- Q. On your trip to Marshall, Tex., did you not meet Mr. Sibley and Mr. Kerrigan in Sedalia, and have an interview with them?—A. I had an interview with Mr. Sibley; yes, sir.
- Q. Had you an interview with Mr. Kerrigan also?—A. At Saint Louis; yes, sir.
- Q. Did you mention to either one of them at those interviews any causes of grievance mentioned by you now?—A. I think not, sir. I was upon other business then.
- Q. (By the CHAIRMAN.) Did I understand you to say that Mr. Sibley said to you he preferred a boycott rather than a strike?—A. He did not say that he preferred; he said that he believed a boycott would be more effectual, or at least have as much effect.
- Q. Are you not aware that Mr. Sibley yielded to the demands that were made upon him in regard to that road, and that indulgences were given to him to take some cars over the road which were then held under that boycott?—A. Personally, I do not. I have been told that he did.
- Q. Are there not instances of boycotting railroads and individual citizens doing business, not members of your order, for the reason that they do not seem to agree with the order. Is that not done in the case of merchants?—A. A boycott is never placed on any one by authority of the local assembly, or any other branch of the order, without we can find no other way of adjusting the case.
- Q. To boycott a man because he did not sympathize with the order, would that be justifiable?—A. No, sir. It has never been done here.
- Q. Are you not aware it has been done?—A. If it has been done at any time it has been done without the sanction of the order.
- Q. Boycotting a newspaper, or freezing it out?—A. Boycotting a newspaper that had been hard upon the order may have been done.
- Q. Boycotting a merchant?—A. Boycotting a merchant? That might have been done. I voted against anything of that kind.
- Q. You are aware that it has been done?—A. I suppose that it has been done.

Q. It is just to you to say that we have evidence in our examinations showing that it has been done to a large extent, and that it has been sanctioned by the local assemblies; but you say that no local assembly has the right to issue a boycott?—A. No local assembly has the right to issue a boycott on any one without just cause.

Q. I am only speaking of men who did not agree with you.—A. I do not agree with that, and do not care for them not agreeing with the Knights of Labor. I do not think a boycott has ever been put on for that purpose.

Q. I only want to know how far you, who are in authority in an organization controlling so many thousand men, favored boycotting an individual and interfering with his business?—A. I look upon a boycott in this way, sir. I have opposed boycotts a good deal myself; still I believe the boycott in some cases is a good instrument; but it is like all other good tools, it is liable to abuse.

Q. I do not speak of any impropriety in organization for protection at all, but I merely wanted to know from you whether boycotting individuals because they do not sympathize with your movement would be considered proper?—A. I say emphatically no.

Q. You say that you are not aware it has been done?—A. No, sir; I am not.

Q. Are you aware that Mr. Sibley was censured by the railroad authorities for his concession at the time when the railroad was boycotted?—A. I am not, sir.

Q. Are you not aware that Mr. Sibley went to the Knights and asked that certain trains be permitted to go over the road?—A. No, sir; I am not.

Q. (By Mr. PARKER.) Have you ever belonged to any other labor organization than the Knights of Labor?—A. Yes, sir.

Q. What was it?—A. The Grange.

Q. The Farmers' Grange?—A. Yes, sir.

Q. Any others?—A. Not strictly labor organizations.

Q. Well, organizations to protect laboring men, other than insurance companies?—A. No, sir; I have belonged to no other. I belonged to several organizations, such as the Ancient Order of Workmen and the Odd Fellows.

Q. Are you an Odd Fellow now?—A. No, sir; not now.

Q. When did you leave them?—A. The Odd Fellows? I left the Odd Fellows a short time after the war.

Q. Did you live in New Orleans at that time?—A. Yes, sir.

Q. What business were you in?—A. In the grocery business.

Q. In the saloon business?—A. No, sir.

Q. But it was a grocery business. Have you a family?—A. No, sir.

Q. You have none now?—A. Yes, most decidedly.

Q. Consisting of whom?—A. Well, I have got some children; I do not know as that is a question that I have a right to answer, these questions about family.

MR. PARKER. If there is any objection to it I do not insist.

THE WITNESS. I do not know; I think these are private matters.

Q. At the time of the strike, March 6, had you any interest in the property of any of these railroads?—A. No, sir; not that I know of.

Q. Do you own a house and lot?—A. No, sir.

Q. Had you any amount of means, or any financial means, at that time?—A. Well, I do not know that I can intelligently say what is meant by financial means.

Q. Whether you had anything substantially beyond your earnings at that time?—A. Well, yes, sir; I have a lot or two.

Q. Located where?—A. In Rosedale, Kans.

Q. Worth how much?—A. I do not know what the lots are worth now; I suppose they cost me about a thousand dollars.

Q. Are they worth that or more now?—A. They are worth about half that now.

Q. What other property except your household goods had you at that time?—A. That is all, I believe.

Q. How long have you been employed on the Missouri Pacific road?—A. About three years.

Q. What has been your position among the men, as foreman or otherwise?—A. Well, I have been about a high private all the time.

Q. You never received any promotion, then?—A. No, sir.

Q. You spoke of the organization of one of these assemblies and of an "unknown knight". Is there any objection to telling what is known of the "unknown knight"?—A. Well, that is the title of the officer; simply a title.

Q. Is he known or unknown, or is there some secret about that?—A. I think he is known as well as the balance of them.

Q. Has he any private duties to perform that are of a secret nature?—A. Nothing outside of any other officer.

Q. Will you repeat the words of the order for the strike?—A. I do not know that I can intelligently.

Q. Well, substantially. We have traveled some thousands of miles and we have not found one witness who can give the words of the order.—A. I shall take this upon myself, that I shall furnish one and send it with the other papers to you at Washington.

Q. Very well, that will be acceptable, and the Chairman suggests that there should be some authentication of it by some official.

The WITNESS. The seal of the order?

Mr. PARKER. That will identify it.

Mr. BUCHANAN. It seems singular that this gentleman can not give the words of that order. We have traveled nearly 2,000 miles to find out, among other things, the terms of this order, and we have not received anything but the form of a telegram. It seems strange that this gentleman, who issued the order, can only give us the substance of the order.

Q. (By Mr. PARKER to witness.) Suppose you try and repeat it as far as you can.—A. I would rather give you a verbatim copy.

Q. Confine yourself to the question, and state the words of the order for the strike.—A. I do not know that I can; it was simply an order.

Q. You are not answering my question; if we continue the examination you will have to answer the question. State the words of the order.—A. The words I can not tell you intelligently.

Q. State the order for the strike; if you can not state it exactly tell it as nearly as you can.—A. The strike was ordered on a certain day.

Q. I did not ask you that. Now go on and give the words of the order.—A. I will state to you, gentlemen, that I tell you I can not intelligently give you the words of the order.

Q. State it as nearly as you can. I want the words of the order as near as you can give them.—A. The order was "to strike."

Q. That does not answer the question. We have been told that a great many times.—A. I do not know how I am going to answer.

Q. Tell how the order read.—A. I told you that I could not tell you intelligently the language of the order.

Q. Did you ever see it in writing?—A. Yes, sir; I wrote it.

Q. Was there much in it?—A. No, sir.

Q. Is it incorporated in a document of the order in District Assembly No. 101?—A. I think not.

Q. Repeat it as nearly as you can.—A. Well, I tell you that I issued the order to all assemblies to strike.

Q. How did you send it to Fort Worth?—A. By letter, that is, by mail.

Q. Not by telegraph?—A. Not the order.

Q. Now repeat what the paper stated.—A. Well, I may state I may have sent it by a telegram.

Q. Well, consider what it was.—A. But my impression is now that I mailed the order.

Q. Now, what was that order as mailed; state what did it contain?—A. Well, it was "strike on the 6th of March;" that certain order.

Q. What did it say, "you are directed," or "you are requested," or "commanded," or "I require you"?—A. "Request" was the word used.

Q. Tell us how it was used, and in what connection.—A. In the matter of the strike?

Q. Give us the connection in which it was used.—A. I tell you I cannot intelligently give you the words of the order to strike.

Q. Is that your conclusion?—A. Yes, sir; I have considered; that is my answer.

Q. Did you send the same order, either by telegram or letter, to each of the assemblies?—A. Yes, sir.

Q. Then there was an original, and these were copies, duplicates sent to all those assemblies, and you are not capable at this time to produce a copy or to repeat it?—A. No, sir.

Q. Upon what papers was that order to strike based?—A. On what papers?

Q. Do not ask me questions; answer questions.—A. If these questions are asked intelligently. I do not understand you—what papers?

Q. Upon what papers was that order to strike based?—A. The circular I issued to the local assemblies.

Q. What else; are there other papers?—A. What particular papers? None that I am aware of.

Q. Were there any resolutions passed by local assemblies upon which it was based?—

A. Upon which the order was based? No, sir.

Q. Was there any list of grievances on file upon which the order was based?—A. Several.

Q. Were they referred to in the order to strike?—A. No, sir.

- Q. How many of such lists of grievances were there upon which the order was based?—
A. Well, there were several grievances already enumerated in the testimony.
- Q. Any others?—A. Not that I know of.
- Q. Are there any which you can produce still existing?—A. Yes, sir.
- Q. The papers, I mean.—A. Yes, sir; I can produce them.
- Q. Where were you when the order to strike was given?—A. In Marshall, Tex.
- Q. That was upon what day?—A. Between the 3d and the 6th of March.
- Q. Was it not on the 31st of February?—A. Very probably; it might have been.
- Q. To how many assemblies was that order given at Marshall?—A. In the neighborhood of thirty.
- Q. Was it given before your leaving Marshall to all the local assemblies in the district?—A. Yes, sir.
- Q. What time of the day was the order to strike written?—A. That I cannot tell.
- Q. Did you write it?—A. I guess I wrote the first.
- Q. What time of day did you write it?—A. I cannot tell.
- Q. Was the first one immediately sent off?—A. Immediately? I presume it was sent off that day.
- Q. Did you not send the orders by telegraph?—A. I believe, sir, that the most of them were sent by telegraph.
- Q. And on that day?—A. I presume on that day.
- Q. What other members of the committee were then there?—A. I think we had a full board.
- Q. Who were they?—A. Mahaney, Lyman, myself, and Burnett; I believe that was all.
- Q. Had you the authority of any local assembly, by its action, authorizing you to order a strike because of the discharge of Hall?—A. I had the power.
- Q. What assemblies gave you that power?—A. All of them.
- Q. How was that action obtained?—A. I cannot answer that.
- Q. How long had Hall been discharged before the order for the strike?—A. Some two or three days.
- Q. How had you correspondence with all the local assemblies in this district and got their consent to order a strike upon the ground of the discharge of Hall in two or three days?—A. By telegraph.
- Q. Do you state under oath that as a matter of fact you received the approval of every local assembly in the district to order a strike upon the ground of Hall's discharge after his discharge and before the order for the strike?—A. Well, I think I was mistaken in regard to the number of days.
- Q. Did you or did you not?—A. After the discharge of Hall, yes, sir.
- Q. Then as far as we can see the discharge of Hall was the ground for the strike, was it not?—A. Not at all, sir.
- Q. Were you not authorized to order a strike upon the ground of the discharge of Hall?—A. Taken into consideration with the others.
- Q. But were you not authorized to order a strike upon the discharge of Hall?—A. I was if I saw proper.
- Q. How many days had you been at Marshall at that time?—A. In the neighborhood of fifteen days I believe.
- Q. What was the local body that was gathered there at that time?—A. It was not a local body.
- Q. The distant or foreign body, or whatever you call it?—A. It was a meeting of the district assembly, composed of delegates from the local assemblies.
- Q. District Assembly 101?—A. Yes, sir.
- Q. Then it was the regular full meeting of that district assembly that was called at Marshall? How many days had it been sitting before Hall's discharge?—A. Some two or three days.
- Q. Hall's discharge incensed the members of that assembly, did it not?—A. Yes, sir.
- Q. They took it that that was done to show them the railroad could discharge a man out of their assembly when they were gathered there, and to make them feel their power?—A. The members were incensed because they thought it was a direct thrust at the organization.
- Q. That it was an insult to the order, and that the members of the assembly there owed it to the order to make the railroad men in return feel the power of the Knights of Labor?—A. They considered it a direct thrust at the organization.
- Q. You do not answer my question.—A. I do not believe that that disposition was general, sir.
- Q. Then there was no resentment of the action of the railroad men in your assembly for the removal of Hall?—A. Simply resentment; we wanted to know the cause why it was done.

Q. Nothing further; there was no disposition to resent the slight put upon the Knights of Labor? A. Well, no, sir.

Q. Then it was understood that his removal was rather a slight put upon the order?—A. Most assuredly; that was the general impression.

Q. Immediately there was action towards resenting it by making the railroad managers feel the power of the Knights of Labor?—A. Well, they meant to resent it, but not in a matter of spite.

Q. Then does it not come to this—that you had the grievances involving the bridgemen and sectionmen, complaints about overtime, complaints about Sunday work without time, and complaints for no time for riding?—A. Assuredly.

Q. And in addition to this there came the removal of Hall, which you understood to be an attack upon the order?—A. Yes, sir.

Q. Finally, with a feeling of resentment, you struck, claiming as a ground all of these things, but the final cause being the resentment that you men felt against the railroad company for the light treatment of your order?—A. That was the precipitating point.

Q. How long did you remain at Marshall after the strike?—A. After the strike was ordered?

Q. Yes, sir.—A. I think I was there about two weeks.

Q. Did you visit the surrounding places where there were railroad shops?—A. I went to Fort Worth at one time.

Q. What other places?—A. No other places that I stopped at.

Q. You had a pass to Dallas at one time, did you not?—A. From Marshall, a pass to Dallas? No, sir, I think not.

Q. There were three issued to you?—A. Oh, yes, there was, to Dallas, at one time.

Q. For whom were those passes left by Governor Sheldon?—A. They were for one of the committee besides myself; I do not recollect which one.

Q. For yourself and Hall and any member of the committee; was that it?—A. Yes, sir, or rather I do not know the name; I thought they gave the name.

Q. One was intended for you, was it not?—A. I presume so.

Q. Did you ever use it?—A. No, sir.

Q. You wanted to use it when it was called for, did you not?—A. When I got it I intended to use it; but I never had any use for it.

Q. Who handed out the passes—Governor Sheldon, or whom?—A. It was one of the superintendents; I do not remember the name.

Q. Were you present when he handed them out?—A. Yes, sir.

Q. Who did he hand them to?—A. To Mr. Hall.

Q. How far away were you?—A. I was right there; I was in the room, and the superintendent—I do not remember his name—called Mr. Hall to one side and gave him the passes; so I was not far distant.

Q. At that time what official position did Hall occupy in your order?—A. He was a delegate to the convention, and I think he was master workman of one of the locals.

Q. And you were master workman of the district assembly?—A. I was chairman of the executive board.

Q. What did you consider the object of calling Hall to one side and handing him the passes, instead of handing them to the chairman of the executive board?—A. I considered that they did not want to acknowledge us as a committee; that is the construction I put upon it.

Q. So it impressed you also that perhaps there was a little personal slight to yourself?—A. Only in an official capacity.

Q. In that way there was something of a slight, I take it?—A. I think so.

Q. You are a Scotchman—you resented that slight, did you?—A. Only by refusal to use the passes.

Q. It was on that ground that you refused to use the passes?—A. Not only that.

Q. If the passes had been handed to you by the superintendent instead of being handed to Hall would you have gone to Dallas?—A. No, sir.

Q. What were you there getting passes for?—A. I asked for a pass there for the whole board, and it was not given.

Q. How many were the board?—A. Five.

Q. You got passes for the majority?—A. I do not know that; we only got passes for two besides the man Hall.

Q. You did not go to Dallas at all?—A. No, sir.

Q. You understood the purpose of the visit to Dallas was to try to adjust the grievances, or the differences?—A. No, sir; I did not. The only thing I understood was they had their testimony ready.

Q. Upon the grievances presented?—A. Upon Hall's discharge.

Q. Did you not intend to present also the other grievances?—A. Yes, sir.

Q. And have them all adjusted?—A. Yes, sir.

Q. But because there were only three passes, and because they were put in Hall's hands instead of yours, you omitted to go to Dallas, and this might have saved the strike?—A. Not on that ground.

Q. In part?—A. Well, no, sir.

Q. What were the grounds upon which you declined to go to Dallas?—A. Simply there were not passes for the whole board, and by going to Dallas it cut me off from the use of the company's books, a thing that we had been promised.

Q. What books?—A. The books of the company—the shop books.

Q. Do you not know that the superintendent's office at Dallas, in the head office, would have all the documents necessary?—A. Their offices were in Marshall.

Q. Did you not expect to find documents enough at Dallas to answer the purposes of that inquiry?—A. Well, I did not know.

Q. Well, go on.—A. It cut me off from the oral testimony that we could get.

Q. What else?—A. I believe that was sufficient.

Q. You did not go to Dallas, but dropped the negotiations there?—A. I telegraphed to Governor Sheldon I thought he ought to come to Marshall.

Q. After the passes were given Hall?—A. Yes, sir.

Q. Now, sir, were not three passes all that were called for?—A. No, sir.

Q. On whom was the call made for passes?—A. Governor Sheldon.

Q. You asked for more passes than three?—A. I asked for passes for the board, and only got three.

Q. How long after the refusal to use the passes was it before the strike was ordered?—A. Before the strike was ordered?

Q. Yes, sir.—A. Well, I believe it was after the strike was ordered; it was before the strike was ordered; it cannot have been but a day or two, sir.

Q. Was it not the day before the strike was ordered?—A. The day before? No, I think it was some two or three days before the strike was ordered.

Q. Within two weeks after the strike was ordered how many places did you visit where the strike was going on?—A. I only visited Fort Worth.

Q. Did you remain at Marshall all the two weeks?—A. Only the time I was at Fort Worth.

Q. How long were you at Fort Worth?—A. Two days, I think.

Q. Where were you at the time the engineer was injured running out from Alvarado?—A. I can not state, sir.

Q. You heard the circumstances, did you not?—A. I believe I did; but it has slipped my memory.

Q. Have not you heard of the injury to the engineer running out from Alvarado?—A. I believe I have; but I have no distinct recollection of it.

Q. And the overturning of the engine on the fireman; do not you believe you heard of that?—A. Something presses on my mind that I might have heard of something of the kind.

Q. Where were you at the time the strikers were appointed to take charge of the property in Marshall?—A. In Sedalia.

Q. Then you were at Sedalia during the first two weeks also?—A. No, sir; I do not recollect in regard to the marshals being appointed.

Q. Do you not remember of their being appointed; of forty strikers being appointed to take charge of the property? Where were you then?—A. I think I was in Marshall.

Q. Did you advise that?—A. Yes, sir.

Q. It was done under your management?—A. I believe I was instrumental in having it done.

Q. Were you instrumental as to the appointment of marshals to take charge of the property at Texarkana?—A. No, sir.

Q. How did they happen to be appointed there?—A. I do not know, sir. If you will hold on, I believe my recollection now comes that I am not so certain but what I sent an order to the different assemblies requesting that they have some brother members if possible placed on as marshals. I believe I did.

Q. Then you as master workman and chairman of the executive committee of District No. 101 advised all local assemblies where there was a strike going on that they should have committees of Knights of Labor appointed to take charge of the property of the company at those points?—A. Yes, sir; I believe I did, sir; to some of them.

Q. And in several instances they were so appointed?—A. Yes, sir.

Q. Do you remember hearing of the shooting of Hamm Williams at Little Rock?—A. I do not know; I may have.

Q. At the time he was attacked by fifty or more strikers, after the striking deputy sheriffs were removed?—A. I do not recollect the circumstances, sir.

Q. Had you seen an account of it?—A. I do not know of any strikers making an attack.

Q. Were circulars advising Knights of Labor or strikers to take possession of the railroad company's property, to protect it or otherwise, sent out, except the one circular that you have mentioned?—A. No, sir.

Q. Did you send out any circulars to the strikers, Knights of Labor or others, warning them not to injure any property?—A. Yes, sir.

Q. Did you warn them not to kill engines?—A. Not to injure property or do any violence, or engage in any lawlessness.

Q. Do you regard killing engines as a violation of property?—A. I look upon it as sort of in that way.

Q. Do you regard the breaking up of trains by taking away and hiding the links a violation of property?—A. Yes, sir.

Q. Did you issue a circular to your assemblies advising against the killing of engines or the breaking up of trains, or the interference with the use of the property and the running of freight trains?—A. I simply issued a circular to use no violence.

Q. Have you a copy of that circular?—A. I have not, sir.

Q. Can you procure one?—A. I believe I can.

Q. Send it to us, if you please, with the others. You are aware that engines were killed during the existence of the strike?—A. I have heard that there were such things done.

Q. Have you not seen them in a killed condition?—A. No, sir; not to pay notice to them; I have not been where I could pay notice to engines killed.

Q. Then you have not seen an engine that had been killed and was in that condition during all this strike, so far as you know?—A. Not to my personal knowledge; I cannot say that any one was killed.

Q. Have you seen them after they were killed?—A. I could not tell that they were killed from my own observation.

Q. What do you call a strike? I ask you now as an expert in strikes.—A. I am not an expert.

Q. Well, you are the best one we have got under oath now. What is a strike?—A. I do not know that I can very well answer that question, only that it is the stoppage of a body of men from work to get some reasonable demand.

Q. What else?—A. I do not know that I can describe it any better than that.

Q. Does not a strike involve preventing the party struck against from conducting his business or working?—A. Not necessarily so.

Q. Does it not involve the necessity, naturally, of preventing the use of the property of the person or corporation struck against?—A. Well, it has a tendency that way.

Q. In case of a strike of railroad employes, does it not naturally involve the killing of engines?—A. Not necessarily; no, sir.

Q. Does it not involve the breaking up of trains?—A. No, sir.

Q. Does it not involve efforts to induce men not to take the places of strikers?—A. It may have a tendency that way.

Q. Does it not tend to induce assaults by the strikers?—A. No, sir.

Q. What do you call men who take the places of strikers?—A. "Scabs."

Q. Does not a strike naturally involve attacks upon those men that you call "scabs"?—A. Well, no, sir.

Q. Does it not naturally result in that?—A. I cannot say that it does. It is certainly not done by order of the order, but is against any instructions that have been sent out by any officer of the order.

Q. Will you identify these instructions? Give us a copy of those instructions to which you refer.—A. Well, the instructions are embodied in the legislation given by the order.

Q. Do you refer to any other?—A. I believe that covers it.

Q. How many men on the Gould system went out on your order?—A. Something in the neighborhood of four thousand.

Q. How many were employed on the Gould system at that time?—A. Well, in the neighborhood of five thousand.

Q. But you do not mean, do you, that that many were employed on the whole Southwestern system—the Missouri Pacific, the Texas and Pacific, and all the roads that are known as the Southwest system from Saint Joseph to the Gulf?—A. There would be between four and five thousand that were out on the strike.

Q. How many were there left in?—A. Well, very few.

Q. How many railroad employes of the Southwest system were there that did not strike?—A. I cannot give the committee intelligently the number, but I think very few.

Q. Did the conductors strike?—A. Oh, I am not talking about members of other orders in the Southwest system; I do not know anything in regard to those.

Q. I want to know how many employes there were that did not strike on this system?—A. I cannot tell.

Q. Were there ten or fifteen thousand men?—A. I cannot tell.

Q. Give us your approximate idea of the number?—A. I do not know; I cannot approximate.

Q. You have come here as the man who ordered out four or five thousand men just on a telegram and you have no idea of how many men did not go upon this strike?—A. I do not know how many there were.

Q. Do you not know about how many men were employed on this Southwestern system when it was fully at work?—A. I do not know.

Q. How could you tell, then, there were five thousand went out on strike?—A. I think there were five thousand.

Q. Give us your best judgment of how many there were that did not go on strike.—A. I do not like to answer the question, unless I answer that I am not competent to say.

Q. To the best of your knowledge how many were there?—A. That I cannot say.

Q. You cannot tell how many men there were to the best of your knowledge?—A. To the best of my knowledge I would rather not answer the question.

Q. Well, I want an answer, or else I want a direct refusal to answer.—A. Then I will not answer the question.

Q. Have you any knowledge as to the number of men connected with the lumber business that were thrown out by your strike?—A. No, sir; I have not.

Q. Do you not know that in that line nearly 90,000 men were thrown out of employment by your strike?—A. I did not take the census of the United States.

Q. Did you order a strike of these men without consulting anybody's interest but your own?—A. My interest is more or less identified with others. I never consulted my own interest.

Q. Did you consult the interest of anybody except the people you represent?—A. Most assuredly, sir, I did not.

Q. Did the engineers or firemen strike?—A. No, sir; I think not.

Q. Why not?—A. That is a pretty hard question. I do not know that they were manly enough to do it.

Q. You expected they would strike when you ordered a strike?—A. They gave us reason to believe that they would assist us.

Q. By striking?—A. They gave us reason to believe that they would come out, but they were too cowardly to carry it out.

Q. Now, as to the firemen.—A. Well, the firemen; I cannot say as much against the firemen as I do against the engineers.

Q. Did they strike?—A. No, sir.

Q. Why not?—A. That is for them to say and not for me.

Q. Did the section-men strike?—A. Yes, sir; most men on the sections did.

Q. A large number of them did not?—A. I think the number was small that did not go out.

Q. When the strike began what efforts were made to prevent men from taking the places of strikers?—A. On our part?

Q. On the part of the strikers?—A. By authority of mine, or any of the organization, none.

Q. Was there not what you call missionary work done—efforts used to proselyte them and induce them not to work?—A. There may have been some requests, or there may have been efforts to persuade them not to take the places of the men that were on strike.

Q. Was not that a movement that was done by the advice of men like yourself, men of influence in the order?—A. I have told most parties that if they could get these men out by persuasion to do it.

Q. Then if they could not get them out by persuading them, what?—A. To let them alone.

Q. But you are reported as saying in a public speech, "to h—ll with the scabs?"—A. I do not think it was correct.

Q. Are you expressing an opinion merely?—A. Am I expressing an opinion? I say it is wrong that I said those words.

Q. Did you say that?—A. I told you that I did not say it.

Q. Then somebody has misrepresented you?—A. A good deal of that is not correct.

Q. Were there arrangements also made to hire men not to work?—A. To hire men not to work?

Q. Yes.—A. Not that I know of.

Q. Was any effort made to induce them to quit work by giving them assurances that they should be kept by the Knights of Labor?—A. I have made that assurance, or rather I have said that men that were interested in the men would keep them, and that, of course, there was a fund to keep a man from starving who would leave work.

Q. What did you mean by this fund?—A. The finances, the funds of the Knights of Labor.

Q. Then you as financial agent of the order felt authorized to use the money of the order for the purpose of supporting men in idleness rather than have them take the places of men who struck?—A. These funds are not directly the funds of the order, nor have the funds of the order been used.

Q. The funds that you refer to were individual funds?—A. They may have been so.

Q. Was that with your approval?—A. Yes, sir.

Q. Now, what other financial aid had you?—A. The funds sent by the country at large.

Q. Was it money coming from the Knights of Labor?—A. Well, I do not know whether most of it came from the Knights of Labor or not.

Q. You know where it came from, do you not?—A. I think I know that the most of it came from the Knights of Labor, and I know also that lots of it came from outside the Knights of Labor.

Q. From other organizations and sometimes individuals?—A. From individuals.

Q. That was the fund in the control of Mr. Hayes?—A. Yes, sir; I have had some from individuals and some from Wall street.

Q. From whom on Wall street did you receive money?—A. I am not authorized to say.

Q. I ask you that question and want an answer.—A. I refuse to answer; it is private matter.

Q. I demand an answer, sir.—A. I am not authorized to give you the name.

Q. Do you propose to state to the United States, represented through a committee of Congress here, that you will decide within yourself what questions you will answer and what you will not?—A. Not at all; if a man demands an answer and makes a civil question I will answer it.

Q. Do you reserve the right to decide yourself what questions asked by the committee are civil?—A. Not at all.

Q. What do you mean by it, then?—A. That the question asked must be a question that belongs to the case and not bringing in confidential names.

Q. Have you heard the name?—A. The name has been given to me confidentially, and I do not consider I have a right to give it.

Q. You propose to exercise the right of judging as to what questions you shall answer? Will you answer the question? To whom do you refer?—A. I cannot give that name.

Q. Are you aware that it has been charged that the effect of this strike was to depreciate the value of the property of the Southwestern railroads, that it would naturally reduce the value of their stock, and that a good deal of money could be made by operating in those stocks upon the knowledge that a strike was to be made?—A. Yes, I have been led to believe that.

Q. Do you know of any one more likely to contribute to the support of Knights of Labor on a strike than men who might have made hundreds of thousands of dollars out of the strike?—A. I do not think the Knights of Labor ever got a cent of it.

Q. But you say you have had contributions from Wall street?—A. I do.

Q. You say you are aware that money might have been made in speculating in stock upon knowledge of your strike?—A. I never had a cent in it.

Q. You have brain enough to know how it could be done?—A. Well, I suppose it could be done.

Q. Now I ask you again, after these suggestions, will you give the name of the parties who subscribed or sent money here from Wall street?—A. I cannot.

Q. Will you state the amount?—A. Ten dollars. (Laughter by witness and some bystanders.)

Q. What communication had you with Wall street or New York city men before you ordered the strike?—A. None whatever before or since.

Q. Did not parties in New York offer to assist you to sustain the strike which existed at Marshall?—A. Assuredly not, sir.

Q. Have you received before or since the strike inquiries from men there seeking to find out when the strike would be made or when it would be called off?—A. No, sir.

Q. Do you remember that Mr. Powderly requested a call off of the strike about the last of March?—A. Yes, sir.

Q. Did you assent to his request?—A. I carried out his orders.

Q. And called off the strike as he expected it would be done?—A. I sent out orders to the general executive board to call off the strike.

Q. And did the strike stop?—A. No.

Q. Why were not Mr. Powderly's views acceded to at that time?—A. Because the railroad would not take back all the hands.

Q. Then in the settlement of the strike at that time was a requirement that the management of these lines should take back all the men?—A. All hands that reported for work.

Q. Did you understand it included men who had disabled engines?—A. That we did not ask; no, sir.

Q. Or men who had injured property?—A. No, sir; we did not ask that, either.

Q. Or men who had violated the law?—A. We did not ask their reinstatement.

Q. You have acknowledged that no one who violated the law in your view should be reinstated?—A. Yes, sir.

Q. Did you seek to carry out Mr. Powderly's views in that respect, or did you agree with Mr. Powderly there?—A. I issued the order. I only disagree with him so far as to say that I think Mr. Powderly was not conversant with the whole circumstances. Still I carried out his orders.

Q. In your judgment is a strike in any way effective if it is merely confined to a walk-out?—A. Merely confined to a walk out? Yes, sir.

Q. But are there not men ready to take the places of those who strike, and is it not true that a railroad company can go on with its business without any interruption if it is a mere walk-out?—A. Unfortunately in some cases there are those who are called men who in some cases take the jobs of men that come out to redress their wrongs.

Q. They did that here?—A. Yes, sir.

Q. That makes a strike ineffective?—A. Well, not to a large extent.

Q. What has been gained by this strike?—A. I think right smart.

Q. Be a little more specific; that is, rather general.—A. I think it has opened the eyes of the public to the tyranny of the railroad corporations, both to their employes and the citizens at large. It has opened the eyes of Congress to see the necessity of sending you out as a committee to look into the matter.

Q. What further benefit has it accomplished?—A. Well, I do not know but that covers all.

Q. Has it been of any benefit to the strikers?—A. Present benefit? No, sir.

Q. So far as you know has it been any advantage to the poor fellows that went out or to their families?—A. No, sir.

Q. When the strike was declared off, ten days ago, did the aid of the Knights of Labor to the strikers cease?—A. We are paying as much money out now as before the strike was declared off. We have been paying even more money than before it was declared off.

Q. That would indicate that there are a large number out of employment and that many will have to go to other places to seek for employment?—A. There has been a very few of the men upon the system that have been taken back at all.

Q. Therefore they are still left out and without employment?—A. They are without employment.

Q. Numbers of them having families and without knowing where their support is coming from every day?—A. That is one of the effects of the strike; we are relieving these cases.

Q. By the contribution of others who wished the strike to cease? At whose instance was the strike ordered off?—A. At the request of the committee and for the good of the outside people; but it would have been cheaper to the strikers to have held out, as it has not only cost them as much money now as it would to hold on, but more. We declared the strike off, as I said in my statement, and you know whether the railroad corporations have acted as magnanimously as was expected from them by either your committee or by the citizens.

Q. When you ordered this strike did you make any provisions for time freight that might be upon the road?—A. No, sir.

Q. Did you make any provisions for perishable freight?—A. None whatever.

Q. Freight trains were side-tracked at the first opportunity on the whole length of the system?—A. Not by any orders of mine, and not any of the order.

Q. Was not that involved in the strike?—A. No, sir.

Q. Do you not know that was the effect and would have been the effect without regard to time freight or perishable freight?—A. Yes, sir.

Q. Do you not know that the fund out of which these four thousand men were paid their wages mainly came from the earnings on freight?—A. It was not for me to say. If I was to stop and study all these things grievances would go a long time unredressed.

Q. Do you not know that the fund out of which the wage-earners upon the railroads are paid is mainly contributed by the merchants, producers, and freighters and others for the carrying of freight?—A. Yes; I suppose that is so.

Q. What right had you to order a strike, inducing four thousand men to leave their work and throw all freight traffic into confusion, side-tracking time and perishable freight, without giving notice to the men who use the railroads as freighters, and the men who made up the funds out of which these men had been paid?—A. The same right that the company have to compel you to pay your fare in advance.

Q. Do you recognize the right of the men creating the wage-fund to have notice of a

movement inaugurated by your men which breaks up all of their business relations?—A. I do not recognize any such right.

Q. Do you recognize that they have any right?—A. If the parties have rights—well, if they have rights, we do not care to interfere with their rights.

Q. You stop railroads and you stop their freights where they are?—A. That is a fact; the railroads are stopped.

Q. As a man familiar with railroads, you do not believe that the freighters of the country are entitled to a notice before a strike is ordered as well as a man working upon a railroad is entitled to a notice before his time is stopped?—A. I should think it very bad policy in a General about attacking an army to give notice of the time and place when it would be attacked.

Q. Then in that respect it is an attack on the makers of the wage-fund?—A. Not necessarily.

Q. Do you regard a strike as very much like an act of war?—A. A strike, when right, is represented to be a struggle for right. Yes sir.

Q. And it is an act of war, and is often followed by violence, is it not?—A. Often followed by violence on the part of, perhaps, the property-owners themselves, and I think in most cases so.

Q. Now I will call your attention to another part of the field. This circular to the "traveling public," signed D. A. 17, 93, and 101 [showing it to witness], met with your approval, did it not?—A. Anything without the seal is not official.

Q. Did you approve this?—A. No, sir.

Q. Was it issued without your knowledge?—A. It was not issued with my consent.

Q. Was it issued with your knowledge?—A. I think so; yes sir.

Q. And still you are one of the executive board?—A. Yes, sir.

Q. You have seen this before?—A. I think probably that I may be mistaken in the circular [examining it again]. That was done by my approval.

Q. Do you really believe that you have a right to state to the public what is here stated?—A. Yes, sir; I think that any citizen has a right to give warning to guard any other citizen.

The circular was here made a part of the record, as follows:

"To the traveling public:

"In the interests of humanity and those who may become the innocent victims of corporate cupidity, we beg leave to state the following facts as pertaining to the system of railroads now affected by the great strike in the Southwest.

"The withdrawal of nearly the entire force of skilled and experienced mechanics and trackmen from the service of the company, at a time of the year when the frost is coming out of the ground, and when every tie and rail on the road needs attention, and which renders a large force of trackmen imperatively necessary to keep the track in order, the absence of such force is dangerous to travel.

"Engines must needs be overhauled after every trip, or it becomes dangerous to use them, and skilled men are needed to perform the work.

"Switches and bridges must be handled with skill or danger results.

"The bungling work of unskilled men may cost life and limb, and we feel it a duty to warn the traveling public against the condition of the Missouri Pacific, Iron Mountain, and Missouri, Kansas and Texas Railways, who are running with one-fourth of their necessary force, and those they have are a class who can never get employment save when good and experienced men are on a strike.

"EXECUTIVE BOARDS D. A. 17, 93, and 101."

Q. Now we will go to a third part of the field. I want to ask you, is it not your best judgment, and would it not be wise to limit the power of local assemblies in regard to strikes?—A. Local assemblies have but very little power; I do not see how you could limit them.

Q. They approve of strikes before they are inaugurated, do they not?—A. As to part they do.

Q. We will go a step further. Would it not be wise to limit the power, or to define the power of district assemblies as to strikes?—A. I think not.

Q. Would it not be wise to extend the power of the general assembly as to strikes and boycotts?—A. I think not, sir.

Q. Would it not be wise and beneficial to have the rules of the order so changed that no boycott or strike should become a fact without the approval of the general assembly of the United States first had and obtained?—A. Well, in case of a boycott I believe that any one issued by the order had better come from the general assembly.

Q. How as to strikes?—A. As to strikes I believe it would be well enough to come

from the general assembly; but I believe that the district assembly is perfectly able to deal with them, and I am against a centralization of power.

Q. As it would be applied in this instance?—A. Yes, sir.

Q. Would you not be in favor of granting to the national assembly the right to approve or not a railroad strike before it took effect?—A. You will let me state a few words in regard to strikes?

Q. I will if you will answer the question direct afterward.—A. All right. I am not in favor of strikes and was in hopes that I could make this the last strike. That is the position in which I stand on that question, and I have been endeavoring, as far as I can, to prevent strikes. Had this strike terminated entirely in favor of the Knights of Labor I should have worked hereafter to make it the last strike. I have been working for that and trying to do everything I could to make this the last strike. Hence you will see what questions surround my connection with the district assembly.

Q. Now I wish to have your direct answer whether you are in favor of giving the general assembly such additional power as that no railroad strike shall take effect until after the strike shall be approved by the general assembly?—A. Well, no, sir; not if there is going to be strikes at all.

Q. You have attended a great many local assemblies, I suppose, Mr. Irons?—A. Well, several; yes, sir.

Q. And you are familiar with the general discussions in those assemblies and the subjects discussed?—A. Yes, sir.

Q. Is it not one of the frequent subjects of consideration and discussion there that the laboring men of the country are not so kindly treated by legislation as other men are?—A. Yes, sir.

Q. And that they are illy treated while other classes are favored?—A. Yes, sir.

Q. And that they do not get their fair share in the earnings of mankind?—A. Yes, sir.

Q. Is it not one of the ideas promulgated there that the laboring man creates all things?—A. Yes, sir.

Q. That the workmen created all values, something as God created all things?—A. My impression is that the line of discussion is that labor is the producer of all wealth and that capital produces nothing.

Q. And that the laborer produces that wealth something the same as God produces all things?—A. That there is an analogy of the kind; something of the same kind.

Q. Therefore that laborers have the moral right to the management of what they have created, as God has the management of what He has created; is not that the contention?—A. We have respect to the rights of others, sir; and I do not consider that even labor has all the rights. We consider that necessary capital is required and that the capitalist has got rights as well as we have, and those rights ought to have the same protection that labor has. And then, again, we believe that labor cannot get along without capital.

Q. And that the laborer, having created this wealth, has a right to decide what he should have and what the capitalist should have?—A. Not but what the capitalist should have the right to say what he shall give for his services, or what the man of capital should gain by his product.

Q. Is there not a general idea that has come frequently to your knowledge as existing among the laboring men of the country that they have created all wealth as God is the Creator of all things? Are not such arguments frequently made before these men as I have presented them?—A. Well, I think not.

Q. How near does it come to that?—A. In our organization, either State or national, there is a certain amount of ignorance to be contended with. I think that in our organization you may find men, subordinates, &c., who believe that labor has created everything and that they are entitled to everything. But these cases are isolated, as they are in every other organization.

Q. You have heard Caughlan lecture?—A. Yes, sir.

Q. Then you heard him express these ideas?—A. I have not, sir.

Q. Did you hear him lecture at Marshall?—A. No, sir.

Q. Do you know the circular that was called the "Blood and Thunder" circular that was issued and aimed especially at a man named Jay Gould?—A. I have not heard of such a circular.

Q. Now, has it not been talked among your organization that this putting the Texas and Pacific into the hands of a receiver was done with a view to defeat the objects of the Knights of Labor?—A. That is an impression that has gone out widely, and I believe it myself.

Q. And you have taught others to believe it, I suppose?—A. I do not know that I have made any special effort; I have expressed my belief.

Q. Then you do believe and have taught that the United States court had been used, and the judicial power of the United States had been used, to put large properties

into the hands of a receiver to be used against the Knights of Labor?—A. I believe, sir, that in the last few years the judiciary has been trailed almost low enough to do anything for railroad companies.

Q. You have taught that and believe it?—A. I have taught that and believe it.

Q. And you therefore taught that the supreme judges were corrupt?—A. I do not know in regard to the supreme judges.

Q. Do you not know that these cases involve a right of appeal?—A. That may have been. I do not want you to understand me as speaking of the supreme judges.

Q. Have you believed and taught that it involved any one of the circuit judges?—A. I do not think that I am thoroughly conversant with the different kinds of courts; but such courts as are administering the affairs of these railroads—yes, sir.

Q. That they were corrupt?—A. Yes, sir.

Q. And hence all corrupt, and especially as to the court that put the Texas and Pacific into the hands of a receiver?—A. I do not know which court did it.

Q. Have you not heard of that court?—A. It might not necessarily involve the court that put the Texas and Pacific in the hands of a receiver.

Q. Who does it involve?—A. The financial influence of Gould may have worked on the court; that is, not necessarily in a criminal manner. The papers had a good deal to say about that, and I think there may have been justifiable reasons for the appointments to the higher courts being placed in the hands of Congress.

Q. Then you taught these people that the courts were corrupt and did not favor the poor man?—A. No, sir.

Q. And you taught that the Texas and Pacific was put into the hands of a receiver for the purpose of defeating the organization of the Knights of Labor?—A. I believe it.

Q. Was not one of the grounds of assuming the right to take charge of the railroad property and to protect it, as it was called, and prevent the use of it by the company based on the ground that the laboring men who took possession of it were the men who had made it?—A. I never made an argument of that kind, nor have I given orders to any men to take possession of the railroad property.

Q. Except as deputy marshals?—A. Whenever they became deputy marshals they were then not under our control.

Q. (By Mr. BUCHANAN.) It appears in testimony before the committee that when a member of the Knights of Labor has a grievance against a railroad company the orderly proceeding is to present that grievance to the local assembly. The local assembly gives it to the executive board to be investigated by their proper officer, and that if found correct it is sent to the executive board of the district assembly. Is that correct?—A. No, sir.

Q. What is the course, then?—A. The course of any one being aggrieved? There are two courses. A man that is aggrieved brings his grievance to the local assembly, and they refer it to the local grievance committee. That committee merely goes to the railroad officials, or the one that they believe to be the proper authority—the master mechanic or foreman. If they cannot adjust the matter with the master mechanic or foreman, then it is referred to the district executive board.

Q. I understand you to say that as a member of the executive board of the district assembly you received a great number of grievances direct from the employes?—A. No, sir; they have come to me and stated their grievances.

Q. But in every instance where they stated their grievances to you direct you referred them to the local authorities, and you did not retain those grievances?—A. Not unless they were presented to me by the local board.

Q. You take cognizance of nothing that does not come to you through the official channels?—A. No, sir.

Q. When these grievances come to you from the local board do they also state the action which has been taken by the local assembly in the investigation?—A. As a general thing, yes, sir.

Q. And that they were found true?—A. Yes, sir.

Q. How many of these had you in your possession up to the 17th of February last?—A. I had a good many from different points bearing perhaps on the same subject.

Q. Tell me about how many, please.—A. Well, I expect I had as much as a hundred.

Q. Where are they now?—A. A portion of them in the hands of the general executive board. They are placed in their hands for the purpose of traveling around and endeavoring to settle them.

Q. When they were placed in your hands would you endeavor to procure their settlement?—A. Some of them had been in the hands of the executive board one week or two weeks, or perhaps three weeks or four weeks.

Q. These that you have at Sedalia are they those which came into your possession as chairman of the executive board of District Assembly No. 101?—A. Yes, sir.

Q. Those that have been handed over to the general executive board were handed over for the purpose of affording data on which to conduct these investigations?—A. Well, that is probable.

Q. How many of those grievances were presented by you to any official on any of the roads that were called the Gould system?—A. These grievances have not been presented by me. They have been sent to me from the local boards after being presented to the railroad officials.

Q. The local officials at the place at which they arose?—A. They have been presented to me by the local board.

Q. After being presented by the local grievance committee to the local officials of the road?—A. Yes, sir.

Q. Then these grievances that have come to you officially have not been presented by you to any of the higher railroad officials?—A. Some of them to Mr. Sibley.

Q. Name the ones, any one you can call to mind, that has been presented to Mr. Sibley that he did not rectify.—A. Well, yes, sir.

Q. Did you say that you had presented to him but one, and that he did rectify?—A. I do not think I did. There was a case which he had sent his men to investigate. The case was in regard to a man being placed there who was of an objectionable character and was doing damage to the place.

Q. And the demand was for the removal of the man?—A. The man has not been removed.

Q. What other cases did he not rectify that you presented?—A. Lots of little cases.

Q. I want specific instances.—A. I could give them, but I cannot recollect them.

Q. I want you to give me information of instances of grievances that were presented to Mr. Sibley that he did not rectify.—A. There was the grievance in regard to the reinstatement of a man that was discharged from the roundhouse by the foreman.

Q. Where at?—A. Sedalia.

Q. What is his name?—A. I cannot recall his name.

Q. You cannot remember the name of a man in a case that you had under your own supervision and that you presented to Mr. Sibley? You cannot remember the name?—A. I cannot.

Q. Give us some data by which we can identify the man.—A. He was a man whose business it was to fill the engines with water.

Q. When did you present that to Mr. Sibley?—A. Three or four months ago.

Q. What was the demand?—A. He was finally replaced on that same work.

Q. Then that grievance has been rectified?—A. Yes, sir.

Q. I am asking for additional specific instances where the grievance has not been rectified.—A. I do not know that I can bring any to memory now.

Q. I am asking you these questions because the circular letter which has been produced in testimony before us speaks of a large number of grievances; the officials of the road testify that those grievances were never presented to them, and I desire to ascertain precisely what action was taken upon these grievances and where they are.—A. There are a great many grievances that have been brought before the local officers of the road and have not been brought before the higher officials.

Q. For what purpose are those grievances that have been presented to the local officers and were not adjusted by them forwarded to you? Why are they sent to you?—A. The purpose is to send them before the executive board, and to use their best endeavors to procure a settlement.

Q. Are those best endeavors forwarded by the non-presentation of them to the highest officials of the company?—A. Well, not exactly, sir. We had a great many of these grievances at the meeting of the district assembly. There are a great many grievances that would never have been forwarded to the higher officials, and there are lots of these grievances that come before the district assembly.

Q. Then the reason you did not present them was because of the pressure of other duties?—A. Yes, sir.

Q. This circular has been put in evidence. [Hektograph circular, dated Sedalia, Mo., 2-1-'86, to the officers and members of local assemblies, and signed Martin Irons, chairman of District Assembly 101, the original of which appears in testimony of N. M. Lovin, at Fort Worth, which was here read in full by Mr. Buchanan to witness.] This seems to be a hektograph circular. I will ask you if that circular was issued by your authority and direction?—A. Since you have read the circular, yes.

Q. You said that the two questions to be voted upon were the recognition of the order and the pay of unskilled labor. Tell me what you mean by the term "recognition of the order"?—A. Well, not strictly recognition of the order, but that the railroad officials treat with a committee of the order.

Q. Do you mean by "recognition of the order" that the railroad company should treat with persons sent to present grievances as representatives of the order whether they were the immediate employes or not?—A. Yes, sir.

Q. What reason exists for that demand?—A. The reason exists because there have been cases of grievances presented to the railroad companies and been objected to, and the statement made that they would not treat with the representatives of the order because they were not railroad employes.

Q. But what reason exists for sending a committee who were not employes?—A. Well, in local boards maybe they are employes. For instance, we take the general assembly. The general assembly are none of them railroad employes. They may go to state grievances for the men, but they will not be recognized.

Q. Is not the real reason this: That they are fearful that if a committee of employes does visit the officials and request a settlement of grievances that these employes will therefore be marked men?—A. Well, there might be something in that. But that is not the real reason.

Q. In the statement which you read and which you consider part of your testimony—
A. (Interrupting). I do consider it part of my testimony.

Q. In that statement you say that the agreement of 1885 has never been complied with. Do you put it as broad as that, or do you mean to say that it had not been fully complied with?—A. The latter would be my understanding of it; that was the intention that I had in making the statement.

Q. You also stated in regard to the time-and-a-half pay that no notice has been paid to that requirement of the agreement. Do you mean to say that in no instance has time and a half been paid for overtime?—A. The reading does not say so. It is outside of the shop hands.

Q. Do you mean to say that in no instance has the company paid time and a half?—A. I do not mean to say that; no, sir; no, sir.

Q. You say that the officials flatly told the parties that the contract only applied to shop hands. Who made that reply?—A. Mr. Sibley.

Q. In your presence?—A. Yes, sir.

Q. In Sedalia?—A. Yes, sir.

Q. When?—A. I think it was about the first conversation I had with Mr. Sibley that he stated so.

Q. In your statement you read a conversation that you had with Mr. Crosby, giving the questions and answers. Are they verbatim?—A. Yes, sir.

Q. Were they taken down at the time?—A. By myself.

Q. Do you write short-hand?—A. No, sir.

Q. Do you say you wrote the question and then the answer immediately after he made it?—A. I put the conversation down as soon as I got to the hotel; I put them down as I put the question.

Q. You have every word correct?—A. Maybe not; I have the correct sense of it.

Q. I wanted to know whether it was the actual question and answer, or whether it was just what you recollected about it, and whether you stated the whole of it?—A. I do not believe the whole of it is there, but it is accurate.

Q. You remembered the words that were used?—A. I only remembered the questions; the balance of the committee and me remembered the answers.

Q. You did not depend upon your own memory for it?—A. I was assisted by the balance of the committee.

Q. Will you give me the words of the telegram ordering the strike?—A. I cannot recollect the words.

Q. You sent out how many of those telegrams?—A. I sent them out in a very short time, in the shape of a letter or telegram, all over the system to the neighborhood of thirty different places.

Q. Were they all alike?—A. All alike.

Q. Were they all written by yourself?—A. No, sir. I do not very much think I wrote but one of them, and all that were sent out were copied from that.

Q. Were not these the words, "Strike on Saturday, March 6, at 10 o'clock a. m.?"—

A. I presume that is about the sum and substance of it. There may have been something before that.

Q. Now give me the date.—A. I think it must have been the 3d of March.

Q. That statement that you read also contained a report of a conversation with Judge Pardee. Do the answers which you have given with reference to your conversation with Mr. Crosby apply to the conversation with Judge Pardee?—A. Yes, sir.

Q. At the time you formed this conclusion in your mind as to the object of placing the Texas and Pacific in the hands of a receiver had you made any investigation as to the bonded debt of that road?—A. No, sir.

Q. Had you made any investigation as to the operating expenses of the road?—A. Well, I had made some inquiry, but nothing I could say was official.

Q. What did you learn the operating expenses to be?—A. It was given to me in an

off-hand way, but I was led to believe from conversations that the road had been paying well.

Q. Had you made any inquiry as to the current expenses of the road?—A. I had nothing authentic.

Q. Had you any information that the road became indebted to any other organization, for instance to the Missouri Pacific?—A. Nothing only hearsay.

Q. What did you learn as to the amount of that indebtedness?—A. I did not learn.

Q. Then you formed this conclusion in your mind without authentic or accurate information as to the financial condition of the road, and only had the general statement that it was paying well? Is that your answer?—A. Yes, sir.

Q. You had no further information of a financial reason existing for putting it in the hands of a receiver?—A. Not for certain.

Q. You spoke of your being snubbed by Mr. Hoxie when you called upon him. Please be a little more definite. What did you mean by that?—A. That is a mistake. I spoke about the general executive committee being snubbed.

Q. You were not a member of that?—A. No, sir.

Q. Then that is hearsay and not within your personal knowledge?—A. Yes, sir; it is not within my personal knowledge.

Q. Something was said by you that it would be better for the company to pay the first of the month, or by weekly payments. Do you know anything about the operations necessary to be gone through in order that the pay may reach a man? Is it not a fact that the time is taken and then sent to the central office, where the checks have to be prepared, and are the payments not made by checks?—A. Payments are made by checks.

Q. Do you know when the time of the men is sent in?—A. I think about the first of the month.

Q. Does it not require time to have this examined and the checks prepared?—A. Most assuredly it takes some time.

Q. Do you know the amount of fare charged from Marshall to Dallas?—A. I do not know.

Q. Do you know the distance between the two places?—A. I do not know that I do.

Q. Have you read the two circulars, purporting to be secret circulars, issued by Mr. Powderly, one of them very recently?—A. Yes, sir.

Q. Have you read them carefully?—A. Well, not carefully.

Q. But you have read them and understand their purport and effect?—A. Yes, sir.

Q. Do you approve the principles and doctrines enunciated in each of these circulars?—A. Yes, sir.

Q. Heartily and unreservedly?—A. I say heartily and—

Q. Unreservedly?—A. I would have to look them over again before I could answer that.

Q. You spoke of the Texas and Pacific being put in the hands of a receiver for the purpose of defeating the organization of the Knights of Labor, and of your having the same suspicion as to the Wabash. Do you not know that within two weeks Judge Treat has refused to confirm the sale of the Wabash?—A. I did not know that to be the fact; but I understood the Wabash was sold.

Q. Did you not send the list of grievances you had at Sedalia to General Hoxie within a few days after the strike?—A. No, sir.

Q. Or within a few days of the strike, one way or the other?—A. I cannot tell; I cannot call to my mind any list of grievances being sent, without some individuals took them.

Q. I am simply asking as to your action; I do not ask as to individuals.—[No answer.]

Q. I am requested to ask you whether the first lessons in boycotting were learned from the blacklisting done by the railroads?—A. Yes, sir; that is the general impression.

Q. Do you know where the term "boycott" arose?—A. It is said to have arisen over in England or Ireland somewhere.

Q. The "leaving severely alone" of Captain Boycott in Ireland?—A. Yes, sir.

Q. Was that learned from the blacklisting system in the Southwest?—A. The principle was the same.

Q. You think the principle applied to Captain Boycott there was learned from the blacklisting by the railroads?—A. I believe the principle is the same in blacklisting and boycotting.

Q. I simply wanted an answer broadly.—A. And I simply wanted to say that they are nearly the same.

Q. I am also requested to ask you this: Do you think the railroad company has any more right to blacklist than the men have to boycott?—A. I do not know of any that they have.

Q. Suppose a telegraph operator was discharged for drunkenness and incompetence in a duty by which human life would be endangered, would it not be the duty of the company to inform other companies of the cause of the discharge?—A. Yes, sir.

Q. But as a general principle you think they have no right to blacklist a man?—A. Yes, sir.

Mr. BUCHANAN. Everybody would concur with you in that, I believe.

Q. There has been put in evidence before the subcommittee that visited Texas a copy of the letter from C. A. Hall, addressed to the grievance committee of Local Assembly 4959, which has upon it this indorsement: "Will you sustain your executive board in demanding the reinstatement of your brother? Call special meeting if necessary, and take a secret ballot. Telegraph result by yes or no. Martin Irons, chairman executive board, Marshall, Texas." Is that in your handwriting? (Handing witness paper for examination.)—A. No; it is not my handwriting.

Q. Did you authorize it to be put there?—A. I believe I did, sir.

Q. Why did you not write it?—A. There were so many of them to write.

Q. Is that your signature?—A. That is not my signature, but I authorized it to be put there.

Q. Here is also a report of the local grievance committee, dated February 17, 1886, signed W. L. Dearing and others, and on it is an indorsement: "Will you sustain your executive board in demanding the reinstatement of C. A. Hall? Take a secret ballot; telegraph result—yes or no—to Martin Irons, chairman executive board, Marshall, Texas." Is that indorsement in your handwriting [handing witness paper for examination]?—A. No, sir.

Q. Is the signature yours?—A. I authorized it to be made; I cannot think I wrote the article, but it is authorized by me.

Q. These documents seem to emanate from a local assembly but they bear the seal of the district assembly; can you explain that?—A. I cannot say. I think that was issued by the executive board.

Q. Then they should bear the seal of the local assembly, but they bear the seal of the district assembly?—A. I do not know that I can explain that.

Q. (By Mr. PARKER.) I want to know something more about your interview with Judge Pardee. He was on the train when you saw him?—A. Yes, sir.

Q. What did you say to him first when you went into the car?—A. I asked him if the Texas and Pacific was in the hands of the United States Government.

Q. What did he say?—A. "Yes, sir."

Q. What more?—A. I asked him "if in the hands of the United States Government will the employes be considered as Government employes." His answer was, "yes."

Q. What next?—A. I asked him if "as Government employes would they be under the same rules as regulate Government employes, such as the eight-hour law."

Q. What answer did he make you?—A. His answer was evasive.

Mr. PARKER. You have no right, in my judgment, to say that the answer of a judge of a United States court was evasive without stating what his words were and let us judge. What did he say?—A. I have stated what he said.

Q. State again what was his answer.—A. His answer was he hemmed and hawed.

Q. What was his answer?—A. He said that "a sheriff or deputy sheriff in search for a prisoner or a criminal, getting within sight of him or close to him, was he to stop just because his eight hours were up and let the prisoner go simply because his eight hours were up?"

Q. Is that all of his answer?—A. That is all,

Q. What was your reply, if any, to him?—A. I do not know.

Q. Did he say anything more?—A. Not then.

Q. Have you given us now all the interview?—A. The interview was very short; I think it was all done in the time of changing engines.

Q. Then you ordered the strike upon that road after that time?—A. Yes, sir.

Q. You ordered it then after having been informed by the judge that the road was in the hands of the United States court and the receivers?—A. Yes, sir; that was told me by Judge Pardee.

Q. Then you had full knowledge at the time you ordered the strike that the road was in the hands of the United States court?—A. I do not know that my knowledge was full then.

Q. But you had been informed by the judge who you understood had granted the order?—A. By Judge Pardee.

CHARLES H. LITCHMAN recalled and examined.

By Mr. BUCHANAN:

Question. Have you any knowledge of the subjects which are discussed by local assemblies?—Answer. If you will allow me before answering I would like to give the

scheme of our organization, and then lead up to your question. It will be perhaps well to state here that having been a member of the general assembly since its organization, and a representative at every session thereof since that time, I may, with all due modesty, claim to know something in relation to the laws governing the order, the various branches composing it, and the principles generally of the order; and I think that it would be proper that this information should be made part of the record, together with the theory upon which the organization has been founded, and the objects intended by the various branches and divisions of the order.

The supreme authority that framed the general assembly of Knights of Labor originated the theory that there should be but five general assemblies, corresponding with the five different continents of the earth. The local organization we call the local assembly. These local assemblies may be mixed assemblies and trade assemblies—mixed assemblies when composed of two or more trades, trade assemblies where the membership is confined entirely to persons engaged in one branch of industry. When there are five or more local assemblies in any locality they may be formed into what we term a district assembly. Where that district assembly is organized the jurisdiction is defined at the time of its organization, and it has no authority outside of the limit of the territory assigned to it at that time. It sometimes happens that in the same territory geographically there may be assemblies attached to a trade district assembly, a district assembly composed of mixed locals, and assemblies working under the immediate jurisdiction of the general assembly. This may explain some of the divided allegiances which have been shown in the testimony before that branch of the special committee with which I have been traveling.

The district assembly up to the present time has had virtually supreme control over all matters relating to strikes, and it could, or not, as it saw fit, call for the counsel or advice of the general executive board. The local assembly having a grievance is required to forward it to the executive board of the district assembly. In the course of this examination it has been shown that district assembly 101 has a rule which requires a vote of the local assemblies before ordering a strike; that is, no strike can be ordered unless sanction has been first obtained from the majority of the local assemblies composing the district.

Q. (By Mr. BURNES.) Does not the power of the local assembly extend coequal with that of the district—A. I do not understand so. That power is restricted in a manner to the district. No strike can be ordered until that vote has been taken.

The theory of the original organization (and I do not think any legislation has taken place which differs from that theory) is that each local assembly was intended to be the local productive and distributive agency. The district assembly was intended to be, in consonance with the term, a sub-wholesale agency of production and distribution, while the general assembly is intended to be the grand wholesale agency, dealing perhaps with those matters that might aptly be described as interstate commerce. The theory of the organization is that the present system of labor and employer should give way to a system of universal co-operation; that the evils with which labor suffers to-day cannot be relieved except by a complete change in the system by which labor is employed. We also recognize the fact that education is the basic principle of all reformation, and therefore by the constitution, of which I can give you a copy, but from a disinclination to get in any more than is absolutely necessary, I will state at least ten minutes of each session of the local assemblies are devoted for the discussion of labor topics; but I shall confine myself to the line of correcting the grievances about which we complain.

We claim that the organization differs from trades unions in this sense: The trades unions very properly desire a complete organization of workmen employed in the trade represented by that individual trades union, while our organization seeks to bring within the fold of one great confederation of labor all branches of honorable toil. We have felt that the vast power of the corporations by its impersonal power controls legislation, that is, speaking from common report; and then again speaking from newspaper notoriety there are individuals controlling these corporations, dictating appointments, even to the Supreme bench of the United States court. Against this impersonal power we find that the individual is powerless, and whilst this condition exists, and until that time when co-operation shall be the rule by which labor shall be employed, we feel the necessity of creating what may be called the impersonal power of labor organizations, which, to be effective, must necessarily sink the individual and single action and deal with it with a discipline and control which comes from organization.

I believe that an individual man making much complaint of the grievances to his employer, and more especially when that employer is a corporation, is victimized and blacklisted. I desire to state most emphatically here, even though it places me in a position contrary to the last witness, that the main reason why we wanted grievances settled by committees not being composed of the men immediately in the employ is to avoid this very blacklisting and victimizing of the individual workman. Where the re-

lation of employer and employed is a personal relation, and probably where the employer has felt the sting of poverty and by his industry and perseverance has raised himself from the bench, we find little difficulty in settling disputes. It is only when we have corporate power to deal with that we find that petty tyranny of which we complain.

Mr. BUCHANAN. And do you not also find that the lower down in station the greater the tyranny?

The WITNESS. Yes, sir. In the questions discussed in the local assembly they take a very wide range; but so far as my experience goes in listening to those discussions I have always found them to be temperate, and mainly resulting from the educational principles of the order. But while human nature remains, selfish men will seek their own purposes in organizations. I think our organization has always been on the side of temperance in all things, and for the advancement of the working classes, and I believe that out of five thousand local assemblies more or less now in existence 99 per cent. of them in number cherish most heartily and fully indorse the views of our general master workman, and that every member of the organization substantially has unbounded confidence and love and affection for him and would do all in their power to carry out the rules and requirements which he has laid down as necessary for the future guidance of our organization. And I believe that one of the benefits of this strike, especially where the grievances are between railroad corporations and their employes, will be to put the trouble into the hands of the general assembly, so that the same conservative management may rule in them as that by which the order has been guided.

I believe that there are a great many ills in the experience of this committee, but it must be remembered that the reform we have undertaken is against the present system of employment of labor, and our object is to obtain it by peaceful means. It is certain that some of our rules would not be sufficient to cure the evils of a system that is the outgrowth of five centuries in the short space of seventeen years, and it must necessarily follow that we cannot hope in that brief time to produce a system to settle these ills without manifestations of a character at times that we cannot approve. But from the intimate acquaintance I have with the members of the general assembly and of the order generally I know there is a deep and earnest desire to reach the beneficial results sought by peaceful methods. I know that the bulk of the order has no sympathy with anarchy and revolution. What we would aim at would be a revolution by the ballot and not by the bullet. We recognize that the legislatures and our Congresses make laws, and we represent the men that make legislators and Congressmen, and we believe that the appropriate action can be secured best and most intelligently by peaceful means. There is no wrong in the American Republic which the ballot cannot reach and remedy.

I refer to the fact that corporate power dictated an appointment on the Supreme bench. It is, perhaps, but justice to say that that opinion is simply based upon newspaper reports and not upon personal knowledge, and I should be very loath to hold any man responsible for newspaper reports, nor do I think that I should be held entirely responsible if I placed trust in the press. I read in one of the daily papers where a very prominent man was referred to as making expressions which, if true, I regard to be just as much against public policy and just as much against the peace of a community as firing bombs of dynamite in the public streets.

I hold that labor creates all value. I do not claim any originality in that, because it is a fundamental principle of political economy. When I say that labor creates all value, of course I do not mean the natural resources of nature, but that labor develops these natural resources for the public necessity, comfort, and luxury. Mr. Lincoln in his first address expresses the idea which has afterwards been adopted by Wendell Phillips in his statement that "labor creates all value and therefore is justly entitled to all the value it creates." I believe when the system of co-operation shall rule in employment of labor that labor will get all value—and I mean labor of the hand and the brain. The most productive labor and of most benefit to mankind is when the cunning of the mind guides the skill of the hand. I believe that co-operation will come, perhaps in the way of profit-sharing. By profit-sharing we have an element of the distribution of profits joined to a very important element of success that comes from an active management. I think the failures that have taken place in the application of co-operation in this country have been the result not of the failure of the principle but the failure in the application of it. Profit-sharing may not come until the time when we can have men as capable of running co-operative establishments as we have now men able to run private enterprises.

This brings us back to the statement that education is the basic principle of all reform. I believe in industrial training. I think it should be taught in the public schools, and that it is an absolute necessity in connection with our system of public-school education. I know the value of public-school education, as I have had no education except what could be obtained at a public school supplemented by such information as I have

been able to obtain by observation and study since. The time will come when practice and theory can go hand in hand, and a general education of the mind will give us men qualified to operate the mills, factories, and the telegraph and any other great industry and accomplish that co-operation for which our organization strives.

We believe also that the moral power of our organization should be recognized; and I would regard it as a public calamity if these corporations should succeed in what they seem to be endeavoring to secure, a breakdown of the Knights of Labor. I have no hesitation in giving it as my personal opinion that but for the moral and conservative power of the Knights of Labor during the first of the year there would have been a Chicago or Milwaukee in nearly all the large cities of the United States. In my own State the moral power of the organization has been felt in a very marked degree. While I regret that our laws place our lawyers in the same category as the liquor-sellers, I think we are entitled to the good-will of all who love the maintenance of good order. We do not claim that our members are teetotalers. We are not a temperance organization in the sense of Good Templars or similar temperance organizations, but I may refer to the fact that in my State we have a local-option law, by which men in the town and cities can vote on the sale of intoxicating liquors, and in those cities and towns where our order is strong there has been in some instances a complete overturning in the vote, and in most of them a marked increase in the "no-license" vote, which can be directly traced to the support of the Knights of Labor.

Q. (By Mr. PARKER.) There is no question but what the Knights of Labor if properly controlled and under a national management rightly arranged would be of great value; but I wish you would explain to us how it has happened that so much destruction of property, the killing of engines, and interference with business as has been proved in the Southwest have occurred apparently in consequence of the action of the Knights of Labor.—A. If I could answer that without being put in the position of defending a strike—and I do not want to go on the record as being in favor of a strike—I would say that I do not believe in strikes, except as a *dernier ressort*; and whenever it was decided that a strike was necessary I would do all that lay in human power to make that strike effective.

Q. (By the CHAIRMAN.) Then you do believe in strikes under certain circumstances?—A. I would not take away from men their inherent right to strike.

Q. (By Mr. PARKER.) Do you regard a strike like an act of war?—A. There is some similarity in the relationship; and as in war the innocent are often compelled to suffer, so in a strike when great damage is done those who are not directly interested may also suffer. It is not the desire of our members to see strikes inaugurated. I deplore strikes.

Q. I understand that your organization is based upon the form of government of the United States, and the last witness has compared the power of a district assembly in its relation to the general assembly to a State in its relation to the National Government. As you are aware, the State governments have not the power to declare war, but the educational powers are confided to the State and county; and yet your district assembly is allowed that right.—A. In answer to that I can only say that the Constitution of the United States had hardly been formed before it was found necessary to have thirteen amendments; and so we have found by experience that the district assemblies have a power which sometimes involves the whole organization, and which power should not be allowed to continue without some regulation or supervision by the supreme authority, and probably that authority being given of supervision, no district assembly hereafter will have the right to declare war.

Q. Then you do not agree with the last witness as to the limitations of power of the general assembly and in the district assembly holding full power?—A. Of course, you understand every man has the right to his individual opinion. I certainly believe, in our organization, in that centralization of power which would make it absolutely impossible for a district assembly to order a strike under any circumstances. I hold that a strike such as this, which paralyzed the industries of five States, should not be entered upon without every means being exhausted to secure the redress of the grievances complained of. I believe that the general executive board have not obtained the power that they ought to have, but that they should have power over these matters, and that they should be competent to judge better than a board confined to any one locality as to the advisability of any such step. They should be placed in a position of power so that they could judge the necessity for such a step and be able to furnish the sinews of war at their disposal for the purpose of making the strike successful when declared.

Q. You look at this from a Massachusetts standpoint?—A. I do not want to put it that offensively.

Q. You are a Massachusetts man?—A. I was born in Massachusetts. My father was a naturalized citizen here.

Q. Do you think it is wise or safe to advise great masses of men through the country organized together upon a single principle or theory that the appointments of the judi-

cial officers of the country are procured substantially in corruption?—A. I cannot give this any better answer than that I believe corruption should not exist, and if it does exist I am not to blame because the people know it.

Q. I call attention to the fact that your answer implies that there is no evidence that it does exist, and to the further fact that the suggestion is put to great bodies and organizations of men that it is true.—A. I have seen the matter stated in public prints, and I think I can produce a paper that contains the statement that a certain justice of the Supreme Court of the United States was appointed by a certain President virtually to pay political debts. We are not to blame if Knights of Labor finding such statements in the public papers make expressions of that kind. We certainly can be skeptical of the justice emanating from a court, particularly when we see the extreme power of a court to punish for what is termed contempt.

Q. You do not refer to any action of the judge whose appointment you have alluded to?—A. Certainly not.

Q. This suspicion, then, would be based upon statements of newspapers having charged the appointment as one made for political purposes, without any inquiry into the action of the judge or without any satisfactory evidence that his appointment has been corrupt?—A. If all men were thoroughly educated, all men could draw the fine distinction implied by the question you ask. But while we have men of moderate intelligence, who simply see results without being able to reason back to the causes, these results may influence their action, when, if they knew the cause they would apply the remedy to the cause and not to the result.

Q. But is it wise to disturb the confidence of great bodies of men in the courts without evidence?—A. Well, as an abstract proposition, no.

Q. (By the CHAIRMAN.) Are not all judges appointed on political considerations?—A. I do not understand that they are.

Q. Do you know of a President appointing a judge who was not of his own politics?—A. To that I have to answer "no." But I have known governors to appoint members of opposite political parties, and I know of one instance in Massachusetts.

Q. (By Mr. PARKER.) Is there not something of this in the idea suggested to these members of the organization that this is a great contest of the poorer against the richer, and that this is the movement to right the wrongs of the poor against the rich?—A. I do not think that quite states it. I think that it is a fight of the people against corporate power; that it is a fight not merely of the men who work, but of the merchant, the producer, and the consumer against corporate power. We find that corporate power, controlling transportation and the transmission of intelligence, robs both the producer and the consumer. And in the producer we include not only the man who works with his hands but the man who works with his brain and the merchant who trades.

Q. (By the CHAIRMAN.) Do you not think that every newspaper or other association of whatever character that teaches to the people of this country or inspires them with a want of confidence in the courts and judiciary is guilty of pernicious teaching. I would not like to say that a judge is corrupt, because I know it would take high evidence to prove that. It is not a proper teaching to the masses, and the moment you get an American to feel when he goes into the court-room that the judge who has his interest to decide upon is dishonest it is shaking confidence in one of the very strongest parts of our Government?—A. You understand me, Mr. Chairman, that I at least protest against being put in the position that your question implies.

Q. I asked you that question that you might have an opportunity of putting yourself right, as I believe you might have made a slip.—A. I do not control the papers that make these charges. If I controlled the papers, I would be responsible for their utterances, but when great metropolitan journals in the city of New York make these charges, it is presumed that if they were not true a suit for libel would be entered. Now I want to state a little further in relation to—

Q. (By Mr. PARKER.) No wise man ever sues for libel; no wise man ever sues a newspaper for libel.—A. Some of them do and get a verdict. I want to place myself right in relation to this matter. Whatever views we complain of we do not complain against the individual, and sometimes language may be used with some carelessness. For instance I saw that a member of Congress suggested the hanging of Mr. Gould to a lamp-post.

Q. (By the CHAIRMAN.) Who did that?—A. The papers said it was Mr. Lawler. We claim that some allowance should be made for individuals, as there would be for this member of Congress. If you hang Jay Gould his son will take his place, just as when Cornelius Vanderbilt transferred \$95,000,000 to his son, William H. took his place; and we saw him transfer his \$200,000,000, and his son take his place. The system goes on just the same. We find fault with the system that produces Goulds and Vanderbilts, and these questions will continue to be agitated until the system is changed.

Mr. BUCHANAN. I think it is fair to say that when Mr. Lawler made that statement in my judgment it was not his real sentiment.

The WITNESS. I suppose it was done in the jocularly of debate.

Mr. BUCHANAN. He was speaking on the spur of the moment and being badgered by questions.

Mr. PARKER (to witness). I would like to know, if you can give it to us, what, if any, political objects your organization has.—A. We have no control over the individual freedom of our members in political action, and I suppose our members will have common sense enough to vote for those members of legislature or of Congress that they think would be most in favor of what measures we believe best suited for the interests of labor. We have pursued that policy in the State of Massachusetts, and have secured a bill for arbitration and also a weekly payment bill in which all corporations, big and little, of our State after the 1st of July will be compelled to pay their employes weekly. Other things being equal, men will follow their individual inclinations as to whom they shall vote for. No political action can be taken by the order as an order. No district or local assembly can take political action in its capacity as an assembly. Every member of a local assembly is allowed to be governed by his own inclination in regard to political matters, and even though ninety-nine out of one hundred in a local assembly were to vote to support a man and but one man were to vote against such action, he is not bound to support any candidate or measure because of the vote taken. If any legislator would vote against these measures for weekly payment or arbitration we did all we could, and I will say strenuously, as individuals to defeat them at the polls.

Q. And these individuals included nearly all the members of the order?—A. No, sir; because numbers of our members were warm supporters of these men. We recognize the fact that the measures that are laid down in our preamble to the constitution can be carried out only by political action, but we are not so insane as to continue in a position which places us between the upper and nether millstone of great political parties. We believe we can gain greater benefits and accomplish more by working for or supporting those men who will vote for those measures which are foreshadowed in our constitution.

Q. (By the CHAIRMAN.) Suppose that both parties stand in the same attitude, what then?—A. In that case it would be just what the capital does now. It would be like the tossing up of a double-headed cent and it would be a head whichever way it came down.

Q. (By Mr. PARKER.) Then I understand that it would be your wish to be a sort of universal balance of power in all districts?—A. I think that would be the most effectual way of controlling the legislation desired until we came to that time when both the present political parties are more nearly constituted on principles of humanity.

Q. That will be when the lion and the lamb lie down together.—A. We are trying to avoid the time when the lion and the lamb shall lie down together, but the lamb inside of the lion. One thing has been brought into this investigation very largely, and that is the loss that has been incident or claimed to be incident to the strike. Of course we understand that there has been a great loss, but how far that loss has been caused by trade being stopped in a locality where naturally it would have been I am not able to say. But it would be as useless to theorize about that as it would be to undertake to run a mill where there was no water. Of course you would put a dam across the stream if you had a reasonable expectation of getting water enough to run the mill.

Q. (By Mr. BUCHANAN.) You stated that a strike ought not to be resorted to until every means of adjusting the difficulty and avoiding the strike had been exhausted, and that after that you would do all that lay in human power to make that strike effective. What do you mean by that?—A. I can answer that in this way: I believe that when the principles of our organization are carried out we shall educate men to that point where they will not be willing to "scab" on their fellow-workmen.

Q. But you are speaking of the present?—A. Our organization is intended to bring about a different situation of affairs. I think some of the points brought out in this present strike clearly show that the wage of unskilled labor is harder to control than the wages of skilled labor. The strikes of skilled workmen are generally successful, whereas, in a strike of unskilled workmen their places are more easily filled. There is another question—

Q. Excuse me; what do you mean to include in the phrase "all that lies within human power"?—A. Well, I would rather that that matter would be considered when such an exigency arose.

Q. When you say you would do all that lay in human power to make it a success I want to know what you include in the phrase.—A. I cannot explain that any more clearly, for the exigency has not arisen. For instance, the committee might see that in answering these questions, that if I should in the course of this testimony make a slip, a thousand good things that might be said would be lost sight of and that one slip would be picked up and made the most of against me by the press.

Q. I thought perhaps you made a slip in using that phrase, and I am perfectly willing that you should explain it.—A. I am perfectly willing to stand by the record, when I say that after all other means had failed.

Q. But what were "all other means?"—A. I would prefer to leave it just there, without explaining it any further.

Q. Do you mean then to leave the impression upon the committee, and I am confident that you do not, that you would, in carrying these means to the extreme, use violence to persons?—A. Of course, assuredly I would not. I would not suppose it necessary to state that.

Q. Nor to property?—A. Well, I would not. I never carried it to property, individually.

Q. Would you collectively?—A. Nor collectively; nor would I advise it. There is one question I wish to touch upon, and that is the question of supply and demand; but I think that the analysis of this discussion brings us down to the point, and you will pardon me, being the son of a naturalized citizen, when I state that in the immigration I should certainly hesitate to put a head-tax on with a view of prohibiting immigration. I cannot get away from a serious contemplation of the freedom given to all to come to America. Considering that as applied to unskilled labor and the questions that are being asked of us concerning it, and of its being a matter that was regulated by the law of supply and demand, I would say, in the first place, that I do not believe there is any such thing as a fixed, immutable law of supply and demand, and it cannot be controlled by human law; but there should be something done to control the wholesale importation of contract labor.

Q. Do you know that the attention of Congress has been called to that question, but that in the state of the business of the House it will hardly be possible to reach it for consideration at this session?—A. I am perfectly well aware of that, and I brought that matter in here in order to express my opinion and to have it put on record as to our desire for its passage.

Q. There is not a member of the committee having that matter in charge but desires that the measure to prevent the immigration of contract labor should pass.—A. I would like to state here, but I have not now the statistics, something in relation to the immigration at Castle Garden, but it is about 1,000,000 a year. Some steps should be taken to control this extra labor that is coming into the country, especially this importation of Hungarians and Poles that are imported by the proprietors of the coke-ovens in Pennsylvania. A short time ago I visited the vicinity of Hazleton and there learned that there were 8,650 of these laborers who had taken the place of boys born to a great extent in that locality, who were driven out by the importation of that labor and compelled to seek employment elsewhere. This anarchy in Cleveland, in Chicago and Milwaukee has been caused largely by that same element that has been brought into this country, and it would appear that we have sown the wind and are reaping the whirlwind. I am opposed to that kind of business.

Q. (By Mr. PARKER.) What is your description of a "scab"?—A. To a union man it would mean by "scab" just what "shyster" means to the lawyer or "quack" to the doctor. In the man who practices medicine and to the doctors' union he is known as a "quack" and to the lawyers' union he is known as a "shyster;" the same character of man with a trades union is a "scab."

Q. Now is it not customary for those you represent to discredit this man you represent as a "scab" in a great many ways?—A. Very naturally.

Q. And to put disgrace upon him, making it a punishment and a degradation upon his family?—A. Very naturally.

Q. And to drive him out of the country, if possible?—A. In the same way that the regular doctor does the "quack," and the regular lawyer does the "shyster."

Q. And has it not occurred in these States that assaults have been made upon him, and threats have been made to him for taking employment?—A. That is my understanding, but I have no knowledge of it.

Q. Has not a man a perfect right, morally and every other way, to accept employment where it is offered at a fair rate to support himself and family?—A. Well, put in that way, as a naked abstract proposition, I would say "yes;" but on the other hand, I would say that no man has the moral right, when a conflict is going on between capital and labor, to step in and "scab" just at that particular time. He has a legal right, of course.

Q. You claim, then, of course, he has no moral right to earn wages, and no moral right in that manner to assist the trade and transportation of the company by his services?—A. I do not claim that.

Q. Are you not looking on the other side—on the striker's side?—A. Very truly; but I have already said that many of these things are the outgrowth of the false system under which we live. Give us some means of arbitration. Suppose Governor Brown had

received the overture of Mr. Powderly for a conference. I was at the meeting of the executive board when this conference was asked, and I saw this telegram sent. If Governor Brown had received that committee, I think that some sort of compromise might have been suggested by which matters which occurred subsequent to the 13th of March might have been avoided. So, in like manner, if Mr. Hoxie had himself received the list of grievances that was sent to him and which failed to reach him because of the death of his private clerk, I think something might have been suggested by which everything might have been adjusted. That there were grievances I am convinced.

Q. Does not there appear to be some indication that Martin Irons and the other men that took part with him in making the strike regarded the manner in which they had been treated as slighting them, and that, consequently, they acted somewhat under that feeling?—A. I hardly think that is the proper way to put it. I think this would be fairer. These men were in session at Marshall. This long list of grievances had been voted upon to such an extent that the extreme measure had been placed within their hands and they had been granted the power to strike.

Q. (By Mr. BUCHANAN.) At that date?—A. Yes, sir. Now just at that time when they were considering that, came the discharge of Hall, right at the time when the delegates were present at Marshall. I understand the district assembly had adjourned, but they were being shown through the shops on the afternoon of the 17th, the day on which Hall was discharged, and it was looked upon as a direct thrust at the organization.

Q. (By Mr. PARKER.) Was it not that which brought on the collision which they were prepared for, and which they were there to decide upon?—A. I think the mistake was that they were not prepared. These local organizations had not been in existence for more than eight months, and they were very poorly organized. There was the mistake.

Q. Was there not a disposition in the Knights of Labor to denounce all men who do not assist or co-operate with them one way or another, either by calling them "scabs," or by putting them in the position of having themselves denounced to other labor organizations?—A. I would not want to say "yes" or "no" to that question, for this reason, that it is the natural outgrowth of trades unionism. We naturally have many of the characteristics of trades unions, and one of the characteristics of a trades union is that a union man will not work with what is called a "scab." Some call them "rats," and different names, but the term is generic, and everybody understands what is meant by a "scab." Each trade has its trade epithet, as I have already illustrated. By and by, when we have, perhaps, a single organization of all skilled labor, being organized by its individual trade, and then united with the Knights of Labor, then I think these things will be outgrown, because it will be impossible to get skilled labor to work with them.

Q. (By the CHAIRMAN.) You have looked at all this subject, and have an intelligent appreciation of it; I would ask you whether you do or do not think that this strike at the time it was ordered was ill-advised?—A. I hope you will excuse me from answering that. I do not want to be put in the position of criticising my fellow-members.

Q. I ask you this, to see whether you agree with Mr. Powderly, with whom I have had the pleasure of a long acquaintance; I know his views, and he has expressed that opinion. I wanted to know whether you, having been over a great deal of the ground, did not consider it ill-advised, whether it has not resulted in great injury to the public business and to the capital invested in the railroads, and has it not acted very badly for the men who struck?—A. I think that all strikes should be avoided. I would rather not give my opinion as to the strike, because I would be putting myself in the position of criticising my organization, and I would rather you would not press the question.

The CHAIRMAN. I know what you think.

Q. (By Mr. BUCHANAN.) One question I wish to ask you, because your answer to a similar question does not seem to be clear upon the record. You do not approve acts, by whomever committed, of violence, to person or property that have been detailed before the committee?—A. Most assuredly not, sir.

Q. (By Mr. BURNES.) One suggestion I wish to make to you, not in the form of a question, but it occurred to me you were but expressing your own opinion in regard to the effect of what is called a protective tariff upon the importation of unnecessary labor. I would like to have your views upon that question?—A. I can only answer in this way. That as between protection and free trade, pure and simple, I would prefer to be classed as a protectionist. But I am skeptical of that protection which gives to the manufacturer protection against the manufactured article and gives free trade in labor.

Q. (By the CHAIRMAN.) But the contract labor is not skilled labor?—A. I do not know that I would confine it exactly to them. I have no sympathy at all with them.

Q. (By Mr. BURNES.) Have you been a member of the Massachusetts Legislature?—A. One term.

The committee then adjourned to meet at the call of the chairman.

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